Manitoba Justice
(including Justice Initiatives Fund)

Annual Report
2009 - 2010

Manitoba

ATTORNEY GENERAL
MINISTER OF JUSTICE

Room 104
Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8

His Honour the Honourable Philip S. Lee, C.M., O.M.
Lieutenant Governor of Manitoba
Room 234 Legislative Building
Winnipeg, Manitoba
R3C 0V8

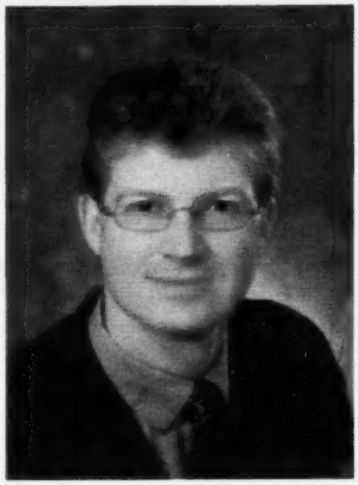
MAY IT PLEASE YOUR HONOUR:

It is my privilege to present for the information of Your Honour the *Annual Report* of Manitoba Justice and the Justice Initiatives Fund for the fiscal year ending March 31, 2010.

Respectfully submitted,

Original Signed By

Honourable Andrew Swan
Minister of Justice
Attorney General



Manitoba

Justice

Deputy Minister of Justice and Deputy Attorney General
Room 110 Legislative Building, Winnipeg, Manitoba, Canada R3C 0V8

Honourable Andrew Swan
Minister of Justice
Attorney General
Room 104 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Minister:

I am pleased to present the *Annual Report* of Manitoba Justice and the Justice Initiatives Fund for the period April 1, 2009 to March 31, 2010.

Our vision as a department is a safe, just and peaceful society supported by a justice system that is fair, effective, trusted and understood. In 2009/2010, we achieved significant successes in moving towards this vision by making important investments to strengthen the department's key priority areas, particularly safer communities, offender accountability and maintenance of the integrity of the justice system.

Manitoba Justice provided national leadership in using civil law measures to increase public safety and in dealing with the threats posed by serious and organized crime. Some highlights of our achievements are as follows:

- The department's new Criminal Property Forfeiture Unit commenced operations in June of 2009, expanding our ability to take the profit out of crime. Under the authority of the recently amended *Criminal Property Forfeiture Act*, the department is now able to initiate civil court actions seeking forfeiture of houses, cash and other property used as instruments and proceeds of crime in our province. In its first partial year of operation in 2009/2010, the Criminal Property Forfeiture Unit seized assets valued at a total of $326 thousand dollars. There are substantial claims in progress and I anticipate that the impact of this unit will continue to grow.
- The Public Safety Investigations Unit achieved the significant milestone of closing over 400 problem properties, including drug, sniff and prostitution houses, since the establishment of the unit in 2002. The unit plays an important role in empowering communities to confront the negative effects of criminal activity in their midst.
- The federal government acted on Manitoba's proposals to strengthen the *Criminal Code* by introducing new laws to make gang homicides first degree murder and establish a new offence to deal with drive-by shootings, and other reforms to respond to the public threats posed by criminal organizations. Also during the year, provincial anti-gang legislation was introduced in the legislature to restrict the use of body armour, prevent the introduction of fortified vehicles and target businesses used as fronts for organized crime.
- The department demonstrated a continuing commitment to leadership in best practice in hosting an inter-provincial conference on organized crime that brought together Crown attorneys and police officers from across Manitoba, Ontario, Quebec, Saskatchewan, Alberta and British Columbia for three days in May of 2009. Strategic investments were also made to introduce a new Gang Awareness for Parents pilot project as well as a Manitoba Corrections – Winnipeg Police Service partnership project to intensively enforce court-ordered bail and probation conditions of high-risk adult offenders.

Another key objective in the priority area of safer communities is improving supports for children and victims of violent crime. To continue moving forward in this area, the department undertook a fifth phase of expansion of *The Victims' Bill of Rights* on February 24, 2010. Consequently, victims of a new cluster of specific *Criminal Code* offences are now eligible to register for a variety of guaranteed and enforceable rights when dealing with police, prosecutors, the courts and corrections officials. The scope of the act now includes victims of sexual interference, sexual exploitation, invitation to sexual touching, assaulting a peace officer with a weapon or causing bodily harm, aggravated assault of a peace officer, operation of a vehicle with blood alcohol content over .08 causing death, and failure or refusal to provide a sample where an accident causes death. Justice officials were also integrally involved in the establishment of an integrated task force to review cases involving missing and murdered Aboriginal women. Five new community-based Lighthouse sites for young people also opened their doors in 2009/2010.

Taking further steps to maintain the integrity of the justice system continued to be an important priority for the department in 2009/2010. Manitoba's new *Police Services Act* received royal assent on October 8, 2009. The new act provides for the establishment of a civilian police commission to oversee the rules and standards of policing, the development of an independent unit of experienced investigators with a civilian director to investigate allegations of serious incidents involving police officers, and the establishment of police boards to oversee local police. Addressing the recommendations from the Taman Inquiry, amendments to *The Victims' Bill of Rights* came into force on June 11, 2009 to provide enhanced service to crime victims in Manitoba.

In the area of offender accountability, the department made significant progress in expanding available bed-space in provincial correctional facilities in order to manage increasing offender populations. Construction was completed on a 160-bed expansion of Milner Ridge Correctional Centre in the spring of 2009. Then, in the summer of 2009, construction began on a new 100-bed women's correctional centre near Headingley, as well as a new 48-bed expansion at Agassiz Youth Centre in Portage la Prairie. Moreover, in the winter of 2009, construction began on an 80-bed expansion at Brandon Correctional Centre.

Finally, I note with pride that the Winnipeg Auto Theft Suppression Strategy was selected as a finalist for a prestigious international policing award. By collaborating with police and other stakeholders, auto theft in Winnipeg has been reduced by 75 per cent since 2005.

In closing, I would like to extend my gratitude to staff across the department. Justice staff often work in difficult and demanding circumstances, and I am continually impressed by the exemplary service that they deliver.

Respectfully submitted,

Original Signed By

Jeffrey Schnoor, Q.C.
Deputy Minister of Justice
Deputy Attorney General

Manitoba

Justice

Sous-ministre de la Justice et sous-procureur général
Palais législatif, bureau 110, Winnipeg (Manitoba), Canada R3C OV8

Monsieur Andrew Swan
Ministre de la Justice
et procureur général
Palais législatif, bureau 104
Winnipeg (Manitoba)
R3C 0V8

Monsieur le Ministre,

Il me fait plaisir de vous soumettre le *Rapport annuel* du ministère de la Justice du Manitoba et du Fonds des initiatives concernant l'administration de la justice pour la période du 1er avril 2009 au 31 mars 2010.

La vision du ministère de la Justice (« le Ministère ») est une société juste, en paix et en sécurité, qui est soutenue par un système de justice équitable, efficace, bien compris et de confiance. En 2009-2010, nous avons franchi des étapes importantes dans la concrétisation de notre vision en effectuant des investissements importants pour renforcer les principales priorités du Ministère, en particulier la sécurité des collectivités, la responsabilisation des délinquants et la préservation de l'intégrité du système de justice.

Le Ministère a offert un leadership national dans le recours à des mesures de droit civil pour accroître la sécurité publique et dans le traitement des menaces posées par les crimes graves et le crime organisé. Voici quelques-unes de nos réalisations importantes:

- La nouvelle Section de confiscation des produits de la criminalité du Ministère est entrée en service en juin 2009 pour saisir les profits des activités criminelles. En vertu de l'autorité des récentes modifications apportées à la *Loi sur la confiscation de biens obtenus ou utilisés criminellement*, le Ministère est désormais en mesure d'intenter des poursuites civiles pour demander la confiscation des maisons, des montants en espèces et d'autres biens utilisés comme instruments et produits d'actes criminels dans la province. Au cours de sa première année partielle d'activité en 2009-2010, la Section a saisi des éléments d'actifs d'une valeur totale de 326 000 $. Plusieurs actions importantes sont en cours et je prévois que les résultats de la Section continueront de s'accroître.
- La Section des enquêtes de la sécurité publique a atteint un jalon important en ayant fermé plus de 400 propriétés problématiques, y compris des lieux où l'on vend ou consomme des drogues, où des substances à inhaler sont offertes et où l'on pratique la prostitution, depuis sa création en 2002. Cette dernière joue un rôle important dans l'habilitation des collectivités à confronter les effets négatifs des activités criminelles en leur sein.
- Le gouvernement fédéral a mis en œuvre les propositions du Manitoba visant à renforcer le *Code criminel* en déposant de nouvelles lois qui font des homicides de gang de rue des meurtres au premier degré et établissent une nouvelle infraction pour traiter les fusillades au volant d'une voiture et en adoptant d'autres réformes pour réagir à la menace publique posée par les organisations criminelles. De plus, au cours de l'exercice, des mesures législatives provinciales contre les gangs ont été présentées à l'Assemblée législative en vue de restreindre l'utilisation de gilets de protection balistique, de prévenir l'adoption de véhicules blindés et de cibler les entreprises utilisées comme des couvertures pour le crime organisé.
- Le Ministère a démontré son engagement continu et son leadership en matière de pratiques exemplaires en accueillant une conférence interprovinciale sur le crime organisé qui a réuni des procureurs de la Couronne et des policiers du Manitoba, de l'Ontario, du Québec, de la Saskatchewan, de l'Alberta et de la Colombie-Britannique pendant trois jours en mai 2009. Le Ministère a également effectué des investissements stratégiques dans la mise en oeuvre d'un projet pilote de sensibilisation aux gangs pour les parents et d'un projet de partenariat du Service de police de Winnipeg et de la Division des services correctionnels qui vise à faire respecter de manière sévère les conditions de cautionnement et de probation imposées par les tribunaux aux délinquants adultes à risque élevé.

Dans le secteur prioritaire de la sécurité des collectivités, un autre objectif clé est l'amélioration des mesures de soutien à l'intention des enfants victimes et des victimes de crime violent. Pour continuer d'améliorer la situation dans ce secteur, le Ministère a entrepris une cinquième étape d'expansion de la *Déclaration des droits des victimes* le 24 février 2010. En conséquence, les victimes d'un nouveau groupe d'infractions particulières en vertu du *Code criminel* sont désormais admissibles à demander une variété de droits garantis et applicables lorsqu'elles ont affaire à la police, aux procureurs, aux fonctionnaires de la cour et aux agents de correction. Le champ d'application de la loi englobe désormais les victimes de contacts sexuels, l'exploitation sexuelle, les invitations à des touchers sexuels, les voies de fait sur un policier, la conduite d'un véhicule avec un taux d'alcoolémie de plus de 0,08 qui a causé la mort et l'omission ou le refus de produire un échantillon d'haleine dans le cas d'un accident qui cause la mort. De plus, les fonctionnaires du Ministère ont participé de manière intime à l'établissement d'un groupe de travail intégré chargé d'examiner les cas de disparition et de meurtre de femmes autochtones. Cinq nouveaux sites communautaires du programme Lighthouse pour les jeunes ont également ouvert leurs portes en 2009-2010.

L'adoption de mesures additionnelles pour préserver l'intégrité du système de justice a continué d'être une priorité importante pour le Ministère en 2009-2010. La nouvelle *Loi sur les services de police* a reçu la sanction royale le 8 octobre 2009. Cette nouvelle loi prévoir l'établissement d'une commission de police civile pour superviser les règles et les normes du maintien de l'ordre, le développement d'une section indépendante d'enquêteurs expérimentés dirigée par un civil pour enquêter sur les allégations d'incidents graves qui mettent en cause des policiers et la création de commissions de police pour superviser les services de police locaux. Pour tenir compte des recommandations issues de l'enquête Taman, des modifications à la *Déclaration des droits des victimes* sont entrées en vigueur le 11 juin 2009 en vue de rehausser les services offerts aux victimes d'actes criminels.

Dans le secteur de la responsabilisation des délinquants, le Ministère a fait des progrès importants dans l'augmentation du nombre de lits dans les établissements correctionnels provinciaux afin de gérer des populations carcérales croissantes. Le projet de construction pour ajouter 160 lits au Centre correctionnel de Milner Ridge a été parachevé au cours du printemps 2009. Au cours de l'été 2009, on a entrepris la construction d'un nouveau centre correctionnel pour femmes de 100 lits près de Headingley, ainsi que l'agrandissement de l'Agassiz Youth Centre pour accueillir 48 nouveaux contrevenants à Portage la Prairie. De plus, au cours de l'hiver 2009, on a commencé l'agrandissement du Centre correctionnel de Brandon pour accueillir 80 nouveaux détenus.

Finalement, je suis fier du fait que la stratégie de suppression des vols de véhicules à Winnipeg a été sélectionnée comme finaliste à l'obtention d'un prix international prestigieux en matière de maintien de l'ordre. En collaborant avec la police et d'autres intervenants, on a réduit de 75 % les vols de véhicules à Winnipeg depuis 2005.

En conclusion, j'aimerais exprimer ma gratitude à l'ensemble des membres du personnel du Ministère. Ces derniers travaillent souvent dans des conditions difficiles et exigeantes et je suis continuellement impressionné par le service exemplaire que ceux-ci offrent.

En espérant que ce rapport obtiendra votre approbation, je vous prie d'agréer, Monsieur le Ministre, l'expression de mes sentiments les meilleurs.

original signé par

Jeffrey Schnoor, c.r.
Sous-ministre de la Justice et
sous-procureur général

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Introduction

With headquarters in downtown Winnipeg on historic Broadway, Manitoba Justice is responsible for the administration of civil and criminal justice in Manitoba. Key responsibilities flow from provincial legislation such as *The Department of Justice Act*, *The Correctional Services Act*, *The Legal Aid Manitoba Act* and *The Victims' Bill of Rights*. In addition the department has significant delegated responsibility under federal legislation, as a result of the *Constitution Act, 1867*, which includes most notably the *Criminal Code* and the *Youth Criminal Justice Act*. Manitoba Justice is also responsible for the administration and enforcement of over 100 other provincial statutes[1] relating to civil law, court administration, correctional services, regulatory provisions and other matters for which the Manitoba government assumes legal responsibility.

Manitoba Justice, a large department with over 3,000 employees, provides a diverse range of services to Manitobans through many regional offices, facilities and operations. Department staff come from a wide variety of backgrounds, including lawyers, correctional officers, managers, administrators, financial officials, law enforcement specialists, information technologists, social workers, teachers, nurses, human resource officers, paralegals, and clerical and support staff.

Report Structure

The *Annual Report* of Manitoba Justice is organized in accordance with the department's appropriation structure. An appropriation is an amount of money voted by the Legislative Assembly of Manitoba to provide for operation of a program during a fiscal year (April 1 through March 31). The total appropriation for Manitoba Justice (known as the main-appropriation) is broken down into sub-appropriations for the specific divisions, branches and areas of the department.

The activities of every branch or section are outlined in this report. It includes information at the main and sub-appropriation levels for the department's objectives, actual results achieved, financial performance and major variances. It also provides a five-year historical table giving the departmental expenditures and staffing. Expenditure and revenue variances are explained. Reports and financial information are also provided for affiliated boards, agencies and commissions, some of which issue their own annual reports.

The report also includes information on the department's capital investments and projects supported by the Justice Initiatives Fund. Separate sections summarize the department's performance reporting and sustainable development activities. A section on disclosures of wrongdoing by employees was added in 2007/2008.

To maintain consistency among government-wide reporting documents, all dollar amounts contained in the financial tables and narratives are expressed to the nearest thousand dollars. For example, thirty-five thousand one hundred dollars is shown as 35 $(000s). Staffing resources are reported in the form of full-time equivalents (FTEs).

Vision and Mission

The vision of Manitoba Justice is a safe, just and peaceful society supported by a justice system that is fair, effective, trusted and understood.

Our mission is to promote a safe, just, and peaceful society by:

- providing a fair and effective prosecution service
- managing offenders in an environment that promotes public safety and rehabilitation
- providing mechanisms for timely and peaceful resolution of civil and criminal matters
- providing legal advice and services to government
- providing programs which assist in protecting and enforcing individual and collective rights
- providing support and assistance to victims of crime
- promoting effective policing and crime prevention initiatives in our communities

[1] See Appendix I for a complete list of acts administered by the Minister of Justice.

We seek to carry out this mission on the basis of the following guiding principles that are critical to the functioning of our democratic society:

- We recognize that in the exercise of our authority we at all times act in trust for the public.
- We accept that our system of justice is based on the rule of law and a respect for the rights of individuals as well as the rights of the community as a whole.
- We seek to promote an open and accessible system of justice that treats all persons fairly and with respect.
- We recognize the diversity in our society and the need to be responsive to that diversity, especially in regards to Aboriginal persons.
- We value communication, co-operation and interdependence and recognize the need to involve government and non-government partners in the development of integrated approaches to the administration of justice in Manitoba and throughout Canada.
- We respect and value the role the public can play in the delivery of justice and in the shaping of our institutions and programs.
- We believe in promoting the individual's responsibility to the larger community.
- We support the development of preventive approaches to problems and the prompt and just resolution of conflicts.

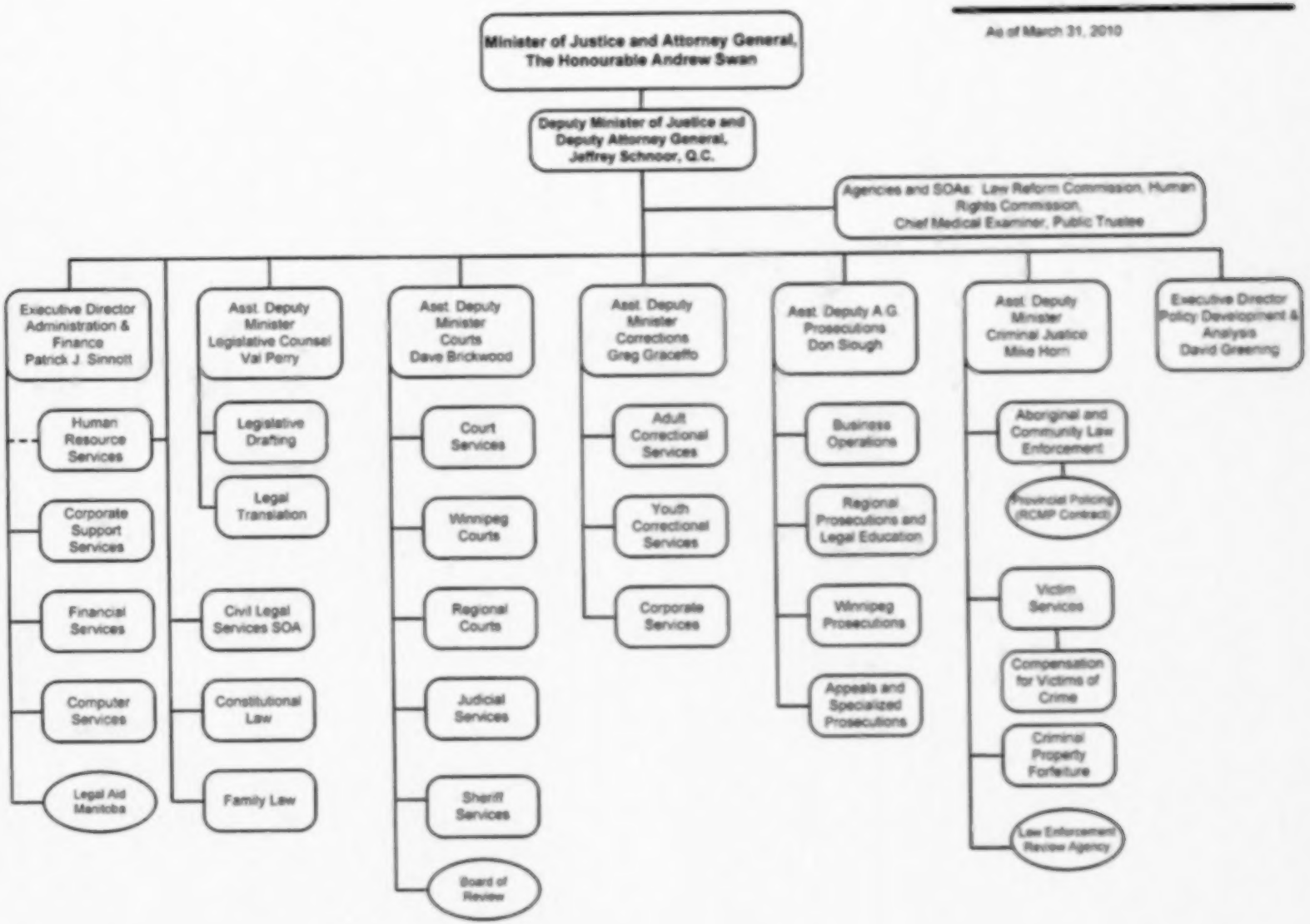
The department's strength comes from its employees. We are committed to building a department that promotes a respectful work environment and that recognizes employees' commitment, performance and achievements. We value personal integrity, leadership, responsibility, participation and teamwork. We encourage outstanding client and community service, initiative and innovation.

To fulfil its role and mission, Manitoba Justice is organized administratively into the following six divisions: Administration and Finance, Legislative Counsel, Courts, Corrections, Prosecutions and Criminal Justice. Finances are, however, voted under six main appropriations: administration and finance (04-1), criminal justice (04-2), civil justice (04-3), corrections (04-4), courts (04-5) and costs related to capital assets (04-6).

As illustrated on the organization chart, each operating division is led by an assistant deputy minister (ADM) or equivalent. The departmental structure includes a number of branches, offices, arm's length bodies and special operating agencies (SOA). Special operating agencies are service operations within departments granted more direct responsibility for results and increased management flexibility in order to encourage initiative and improve service delivery.

Manitoba Department of Justice
Organization Chart

As of March 31, 2010


Minister of Justice and Attorney General, The Honourable Andrew Swan
Deputy Minister of Justice and Deputy Attorney General, Jeffrey Schnoor, Q.C.
Agencies and SOAs: Law Reform Commission, Human Rights Commission, Chief Medical Examiner, Public Trustee
Executive Director Administration & Finance Patrick J. Sinnott
Human Resource Services
Corporate Support Services
Financial Services
Computer Services
Legal Aid Manitoba
Asst. Deputy Minister Legislative Counsel Val Perry
Legislative Drafting
Legal Translation
Civil Legal Services SOA
Constitutional Law
Family Law
Asst. Deputy Minister Courts Dave Brickwood
Court Services
Winnipeg Courts
Regional Courts
Judicial Services
Sheriff Services
Board of Review
Asst. Deputy Minister Corrections Greg Graceffo
Adult Correctional Services
Youth Correctional Services
Corporate Services
Asst. Deputy A.G. Prosecutions Don Slough
Business Operations
Regional Prosecutions and Legal Education
Winnipeg Prosecutions
Appeals and Specialized Prosecutions
Asst. Deputy Minister Criminal Justice Mike Horn
Aboriginal and Community Law Enforcement
Provincial Policing (RCMP Contract)
Victim Services
Compensation for Victims of Crime
Criminal Property Forfeiture
Law Enforcement Review Agency
Executive Director Policy Development & Analysis David Greening

Administration and Finance

The administration and finance appropriation (04-1) includes the department's executive and administrative support activities. It consists of two major components: executive administration and operational administration.

Executive administration is comprised of three sub-appropriations identified as minister's salary, executive support and policy development and analysis. These areas provide leadership and direction to the department's operational divisions.

The operational administration component forms the Administration and Finance Division of Manitoba Justice. The division is responsible for the department's administrative support and fiscal planning and control functions. It also provides financial and human resource services, facilities management, procurement, fleet vehicles, parking, records management and the development and maintenance of computer systems.

Executive Administration Component

Minister's Salary

The funds voted for minister's salary provide for additional compensation to the Member of the Legislative Assembly (MLA) appointed to Executive Council (Cabinet) as the Minister of Justice.

The Minister of Justice is also the Attorney General for Manitoba. The attorney general's role is that of chief law officer for the Manitoba government and the official legal advisor to the Lieutenant-Governor in Council and members of Cabinet. The responsibilities stemming from this role are unlike those of any other Cabinet member.

As minister of justice, the minister represents the interests and perspectives of Manitoba Justice at Cabinet, while simultaneously representing the interests and perspectives of Cabinet to the department and the department's communities of interest.

As attorney general, the minister is the chief law officer of Manitoba. The minister plays a special role in advising Cabinet to ensure the rule of law is maintained and that Cabinet actions are consistent with the law and the *Constitution Act, 1867*.

1 (a) Minister's Salary

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	46	1.00	46	0	

Executive Support

Executive support includes the staff and operation of the offices of the minister and deputy minister who provide management direction and leadership to the department. Activities include advising the minister on policies and emerging issues affecting the department, developing departmental policy, managing departmental activities and projects, and providing administrative services.

The Deputy Minister of Justice and Deputy Attorney General is the administrative head of the department, responsible for managing the day-to-day operations. As the senior public servant in the department, the deputy minister works with a team of assistant deputy ministers and executive directors. The team, in turn, draws on the extensive accumulated knowledge of departmental personnel.

The deputy attorney general is the deputy chief law officer for the Manitoba government, following the attorney general as chief law officer. The deputy attorney general, for example, can prefer an indictment under the

Criminal Code directly in the Court of Queen's Bench, Manitoba's superior trial court. There are also other discretionary prosecutorial powers given in law that the deputy attorney general may use.

1 (b) Executive Support

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	765	9.00	637	128	1
Total Other Expenditures	142		97	45	

Explanation:
1. *Variance is mainly comprised of salary and benefits paid to the special counsel on organized crime.*

Policy Development and Analysis

The mandate of the Policy Development and Analysis Branch is to:

- provide justice policy advice, develop legislation and help develop programs that advance departmental objectives
- co-ordinate issues having cross-divisional, cross-government or intergovernmental implications
- research and document provincial positions on needed changes to the *Criminal Code*
- provide program and administrative support for the Community Notification Advisory Committee and the Manitoba sex offender website
- act as the department's primary resource for research into issues that affect the justice system

To fulfill this mandate, the branch:

- conducts research and develops justice policy options
- co-ordinates preparation of briefing material for the minister and deputy minister and helps prepare for federal-provincial-territorial (FPT) meetings
- acts as the departmental liaison to the Canadian Centre for Justice Statistics (CCJS), analyzes CCJS reports and represents the department at FPT meetings of the National Justice Statistics Initiative Liaison Officers Committee
- provides research, analytical and administrative support for the Community Notification Advisory Committee
- represents the department at FPT meetings of the Co-ordinating Committee of Senior Officials (Criminal Justice) and leads and participates in other FPT committees and working groups
- assists in developing Manitoba's resolutions for the Criminal Section of the Uniform Law Conference of Canada
- examines and comments on federal criminal law initiatives
- leads and participates in development and implementation of legislation
- participates in Manitoba government interdepartmental working groups and committees
- provides policy assistance to other divisions in the development of programs, such as assisting the Criminal Justice Division in the re-development of *The Provincial Police Act*, and in the development of criteria for program evaluation

The following are examples of some of the special projects in which the branch participated during 2009/2010:

- led the development and implementation of amendments to *The Highway Traffic Act* to apply provincial sanctions for new *Criminal Code* impaired driving offences
- led the development of amendments to *The Highway Traffic Act* to introduce a driver's licence suspension for persons convicted of drug trafficking who drove a vehicle to commit the offence
- assisted in the legislative development and implementation work concerning the new provincial *Police Services Act* for Manitoba
- assisted in the development of amendments to *The Civil Remedies Against Organized Crime Act* and *The Manitoba Evidence Act* concerning scheduling of criminal organizations
- assisted in the development of *The Body Armour and Fortified Vehicle Control Act*

- consulted with stakeholders and represented Manitoba Justice at the March 2010 Justice Canada roundtable consultation on modernizing *Criminal Code* impaired driving provisions
- participated in a variety of national working groups and consultations on changes to criminal law and on collection of justice data, including the FPT Impaired Driving Working Group, the FPT Cybercrime Working group, the FPT Criminal Procedure Working Group, the FPT Sentencing Working Group, and co-chairing the FPT Organized Crime Working Group
- analyzed and prepared briefing material for the department on the reports released by the Canadian Centre for Justice Statistics between April 1, 2009 and March 31, 2010

1 (c) Policy Development and Analysis

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	492	5.00	491	1	
Total Other Expenditures	128		140	(12)	

Operational Administration Component

The Administration and Finance Division of Manitoba Justice is responsible for the department's operational administration. The division is led by an executive director with oversight of three branches: financial and administrative services, human resource services and computer services.

The executive director of the division exercises a governance role and oversees grant funding provided to Legal Aid Manitoba, which functions as an independent Crown corporation. The executive director is also the designated officer for receiving and investigating disclosures made by Justice employees under *The Public Interest Disclosure (Whistleblower Protection) Act*.

Although not the largest division, the support services provided by Administration and Finance Division have a significant overall impact on the daily operations of the department.

Financial and Administrative Services

The Financial and Administrative Services Branch is comprised of three main groups: financial services, administration services and corporate services.

The financial services group assembles and co-ordinates the department's budget, processes all accounts payable, and monitors, evaluates and reports expenditures to senior management. It exercises a comptrollership function to ensure that all revenues are properly accounted for, and that all expenditures are made and reported in accordance with government policies and generally accepted accounting principles.

The administrative services group oversees the department's administrative operations and reporting. Responsibilities include procurement in general, annual sustainable development procurement action planning and reporting, contracts, leases for space and equipment, fleet vehicles, physical asset inventories, accommodations and capital project requests, staff parking, security, insurance, accommodation cost recoveries, workplace safety and health, and related staff training.

The corporate services group co-ordinates freedom of information access requests and compliance with *The Freedom of Information and Protection of Privacy Act* (FIPPA) and *The Personal Health Information Act* (PHIA). It also provides leadership and support to a number of special cross-divisional projects such as the development of the department's annual strategic plan, sustainability indicators reporting, performance reporting, and workload indicator development and reporting. Corporate services also manages departmental records and maintains the Manitoba Justice Internet website at www.gov.mb.ca/justice.

1 (d) Financial and Administrative Services

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,225	19.00	1,387	(162)	
Total Other Expenditures	423		370	53	

Human Resource Services

The Human Resource Services Branch provides a comprehensive human resource management and consultation service to all divisions and branches of Manitoba Justice, including its special operating agencies. Major responsibilities include recruitment, selection and retention of employees, job development and organizational planning, employee and labour relations, contract and policy interpretation, pay and benefits, staff development, diversity/employment equity consulting, human resource planning, career counselling, supportive employment, as well as consultation on a wide variety of human resource initiatives and issues. It assists in the collective bargaining process with the Manitoba Government and General Employees Union (MGEU), the Corrections Component of the MGEU, the Manitoba Association of Crown Attorneys (MACA) and the Legal Aid Lawyers Association (LALA). Recruitment for Manitoba Justice is conducted through delegated authority from the Civil Service Commission (CSC).

Activities within the areas of responsibilities identified above include: managing payroll and employee benefit records, participation in strategic planning, liaison between corporate and departmental policy and programs, advice and consultation on employee orientation, performance and career advancement, employee recognition, staff and organizational development, renewal planning, and workplace wellness. Specific programs co-ordinated through the branch include: the Supportive Employment Program, French Language Services, leadership development, respectful workplace and employment equity/ diversity initiatives.

In the area of employment equity, Human Resource Services contributes to attracting and retaining a diverse workforce through inter-cultural training, internship programs, employment outreach and development of tools and practices for managing a diverse workforce. The department has been successful in 2009/2010 in exceeding the 14 per cent corporate benchmark for Aboriginal representation and also making significant progress with increasing representation of persons with a disability and visible minorities. Learning and development initiatives continued to expand with Manitoba Justice taking a leadership role this fiscal year with the corporate learning champions network. As well, departmental employees continued to strengthen their knowledge and experience by participating in formal and informal learning opportunities by using educational assistance and leave mechanisms to attend university and college programs and various departmentally sponsored professional events. In 2009/2010, the branch completed 170 competitions. Branch staff were also involved in 40 formal grievances and several arbitrations, appeals, employee/labour relations issues, investigations and mediations.

1 (e) Human Resource Services

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,614	22.50	1,630	(16)	
Total Other Expenditures	224		196	28	

Computer Services

The Computer Services (Information Systems) Branch provides vision and leadership in the use of technology to assist the department in accomplishing its goals. The branch either directly provides, or obtains from central government, the required services or resources to identify, develop, implement and maintain technology

solutions that assist program areas in the delivery of effective services. The branch also has the responsibility of leading the department in an annual prioritization of initiatives that have indicated a benefit from the incorporation of technology. This process results in an allocation of the department's resources and is intended to maximize alignment to the department's overall priorities and strategies.

The department's long-term strategy for developing justice computer systems is referred to as the co-operative justice initiative. This strategy develops independent system modules to meet critical operational needs, while maintaining a technological framework that allows for an easy flow of data between them and promotes future integration and sharing of functionality. This approach is seen as the most effective and fiscally responsible method of applying systems and technology solutions to a number of separate but cooperative entities that must work effectively together without compromising their independence from each other. Significant efforts have been made to ensure that all technology components support the program areas' immediate requirements and are consistent with the department's long-term strategies.

The Cooperative Justice project continued to be a major focus of the Computer Services Branch in 2009/2010. This initiative will enable the provincial criminal court system (CCAIN), the prosecutions and victim services system (PRISM), and the corrections offender management system (COMS) to exchange information and significantly enhance the processes requiring inter-divisional co-operation. It will also enable the electronic exchange of information with external partners and agencies such as the Winnipeg Police Service, Brandon Police Service and the RCMP. Another major initiative focuses on the modernization of the Maintenance Enforcement Program's computer system. Development of the new Manitoba Maintenance Management Program (M^3P) is based on an existing application obtained from the Alberta government. Reconfiguring this application is expected to significantly reduce the overall cost and time to complete the project.

The government-wide restructuring of how information and communication technology services are delivered within the Manitoba government continues to be refined. The philosophy of the restructuring initiative is that efficiencies can be accomplished through the sharing of these specialized resources between departments. To achieve this aim, technical resources were transferred from Manitoba Justice in 2006/2007 and centralized into Business Transformation and Technology (BTT), a division of Manitoba Innovation, Energy and Mines.

Later sections of the report will provide additional detail on information system initiatives being undertaken in the divisions.

1 (f) Computer Services

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,334	6.00	1,407	(73)	
Total Other Expenditures	752		861	(109)	
Recoverable from Part B – Capital	(130)		(130)	0	

Criminal Justice

The criminal justice appropriation (04-2) finances two divisions within Manitoba Justice: the Criminal Justice Division and the Manitoba Prosecutions Service. The appropriation also funds the Office of the Chief Medical Examiner.

Administration

Administration provides executive direction and support to the Criminal Justice Division. This does not, however, include the Manitoba Prosecutions Service or the Office of the Chief Medical Examiner.

2 (a) Administration

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	294	4.00	421	(127)	1
Total Other Expenditures	58		49	9	

Explanation:

1. Variance is due to temporary vacancy of the director of departmental security position.

Manitoba Prosecutions Service

Manitoba Prosecution Services is responsible for the prosecution of criminal offences in Manitoba. These offences include provincial statutes, *Criminal Code* and some federal charges, as well as prosecutions under the *Youth Criminal Justice Act*. Crown attorneys also review police reports and advise police on charges and procedures. Crown attorneys provide lectures and seminars to the police and the general public on justice issues. Each year, the division hires articling students and provides distinguished training in criminal litigation throughout the students' articling term.

Led by an assistant deputy attorney general (ADAG), the Manitoba Prosecution Services has a total of 212.30 staff FTEs (of which 16.50 were added in-year 2009/2010 to address workload issues). The total staff complement is comprised of 4.00 management/legal positions (including the ADAG), 122.0 legal positions (including articling law students) and 86.30 professional/administrative support staff positions (including the director of business operations).

The division is organized into four branches.

Winnipeg Prosecutions

The General Trial Unit of Winnipeg Prosecution Service prosecutes all preliminary hearings and trials in Winnipeg which are not the responsibility of one of the specialized units, or are not resolved during the intake process through referral to a community justice program, guilty plea or other alternative program.

The Community Prosecutor and Youth Court Unit are also a part of Winnipeg Prosecutions.

Regional Prosecutions and Legal Education

Regional Prosecution offices are based in Brandon, Dauphin, Portage la Prairie, The Pas, and Thompson. Regional Crown attorneys prosecute all adult and youth offences arising in regional court locations. In conjunction with lawyers from Winnipeg, prosecutions are conducted in over 60 other communities throughout Manitoba.

The branch also provides a division-wide continuing legal education program to ensure all Crown attorneys receive updated education to enable them to fulfil their roles as prosecutors.

Specialized Prosecutions and Appeals

This branch comprises Crown attorneys who are working in a number of units, including: General Counsel; Domestic Violence, which prosecutes cases of spousal and elder abuse and child exploitation; Commercial Crime; Provincial Statute; and the Review Board, which reviews and monitors the status of not criminally responsible (NCR) accused. The branch also includes the Criminal Organization and High Risk Offender Unit (COHROU), which consists of both the Gang Unit and the High Risk Offender Unit. The branch also reviews referrals of files for consideration of appeal and represents the Crown at appeal hearings in the Manitoba Court of Appeal and Supreme Court of Canada.

Business Operations

The Business Operations Branch manages the division's finances, facilities, the Central File Registry, technology and general administration. Strategic and policy advice is also provided to the assistant deputy attorney general on issues affecting the division.

Workload

The number of files (including charges laid and requests for Crown opinions) opened in Prosecutions over the past five years is as follows:

- 45,058 in 2005/2006
- 45,454 in 2006/2007
- 45,223 in 2007/2008
- 47,383 in 2008/2009
- 46,896 in 2009/2010[2]

New Initiatives

During 2009/2010, the Manitoba Prosecutions Service continued its ongoing participation and support for expansion of the Provincial Court Front End Project to regional offices. In addition, Prosecutions commenced a number of pilot projects to expand the use of pre-charge assessment to non-custody matters. The division also continued a project with the Winnipeg Police Service (WPS) that began in March of 2009 with the goal of increasing the timely delivery of disclosure materials from the WPS to the Crown.

2 (b) Manitoba Prosecutions Service

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	19,021	195.80	19,014	7	
Total Other Expenditures	4,667		3,186	1,481	1
Total Witness Programs & Grants	1,241		742	499	2

Explanation:

1. *Variance includes travel costs to Thompson relating to staff shortages, Crown circuit travel and conference costs, accommodation and operating expenditures for new staff positions added to address workload issues, and increases in various general operating expenses including records management, communication costs, office supplies and legal research software.*
2. *Variance is primarily due to the increase in court transcription fees associated with Crown demand as the first requestor of the documents as well as additional costs for witnesses and DNA testing.*

[2] While Manitoba Prosecutions Service opened 46,896 files in 2009/2010, the Provincial Court processed 86,467 new adult and youth charges in the fiscal year. The primary reason for the difference is that Manitoba Prosecutions Service statistics refer to files and Courts Division statistics refer to informations. Manitoba Prosecutions Service can have one file that encompasses a series of charges relating to one incident. As well, Manitoba Prosecutions Service statistics do not include federal offences (such as the *Controlled Drugs and Substances Act* and the *Immigration and Refugee Protection Act*), municipal charges such as bylaw offences, or charges laid as private prosecutions.

Provincial Policing

This sub-appropriation funds the Royal Canadian Mounted Police (RCMP) for providing provincial policing in Manitoba under the authority of *The Provincial Police Act*. RCMP services are provided under contract through the federal/provincial *Provincial Police Service Agreement* (PPSA). The RCMP also provides police service to the majority of the province's larger municipalities under municipal policing agreements negotiated directly between the municipalities and the federal government. Through 84 rural and 22 municipal detachments across the province, the RCMP enforces federal and provincial statutes and municipal by-laws and administers crime prevention programs in rural municipalities, cities, towns, villages, First Nations communities and local government districts that do not provide their own police service.

This sub-appropriation also provides funding for First Nations policing in Manitoba. Currently, 15 of 63 First Nations communities in Manitoba have policing agreements. Canada and Manitoba share costs for the agreements through an established sharing formula: 52 per cent from Canada and 48 per cent from Manitoba. The Dakota Ojibway Police Service (DOPS), a stand-alone Aboriginal police service, polices five First Nations communities: Birdtail Sioux, Canupawakpa, Sioux Valley, Sandy Bay and Roseau River. The RCMP, under the First Nations Community Policing Service (FNCPS), polices ten First Nations communities (an increase from nine in 2007/2008): Chemawawin, Swan Lake, Waywayseecappo, Opaskwayak, Nisichawayasihk, Peguis, Berens River, Poplar River, Bloodvein and Buffalo Point. The Aboriginal Community Constable Program (ACCP) is also funded by this sub-appropriation. The ACCP funds specific RCMP members working in First Nations communities that do not have policing agreements with either the Manitoba government or the federal government. These members are cost shared 46 per cent from Canada and 54 per cent from Manitoba. Future expansion of First Nations policing in Manitoba is contingent on availability of federal funding.

This sub-appropriation provides funding for DNA testing, the Manitoba Integrated Organized Crime Task Force, the Auxiliary Constable Program, as well as funding support for some municipal police services.

2 (c) Provincial Policing

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Other Expenditures	100,580		102,351	(1,771)	1
Recoverable from Rural Economic Development Initiative (REDI)	(2,000)		(2,000)	0	

Explanation:

1. Variance is primarily due to reconciliation credits from 2008/2009 relating to PPSA, FNCPS and DOPS.

Aboriginal and Community Law Enforcement

The Aboriginal and Community Law Enforcement Branch co-ordinates and administers the Manitoba government's law enforcement objectives, priorities, programs and policies, the government's contracts with the RCMP, municipal and Aboriginal police services, and the licensing of the private investigator and security guard industry. The branch negotiates and implements all policing agreements within Manitoba on behalf of the government, and represents the department in law enforcement forums at national and international levels. The department's High Risk Witness Management Program and the Public Safety Investigations Unit are also managed by the branch.

Private Investigators and Security Guards

Aboriginal and Community Law Enforcement is responsible for administration of *The Private Investigators and Security Guards Act*. Under the act the registrar licenses and ensures compliance with the act by all security guard and private investigation companies, as well as individual security guards and private investigators. During 2009/2010, the department licensed 62 private investigator/security guard companies and registered 69 employers of in-house security guards that employed 3,200 employees. The registrar also manages the appointment of approximately 1,100 special constables under *The Provincial Police Act*.

Public Safety Investigations

Aboriginal and Community Law Enforcement includes a special unit that investigates complaints and conducts inspections under *The Safer Communities and Neighbourhoods Act* and *The Fortified Buildings Act*. These acts target properties that affect the safety and security of neighbourhoods in various ways, including fortifications that prevent access or escape, habitual use for prostitution, production, sale and/or use of drugs, abuse of intoxicants, child sexual exploitation or child sexual abuse, the storage of illegal weapons and explosives, or selling liquor without a licence. The Public Safety Investigations (PSI) Unit has a manager, seven investigators, two video analysts and a registrar. The unit investigates complaints and applies for community safety orders under *The Safer Communities and Neighbourhoods Act*. PSI also conducts inspections and serves removal or closure orders under *The Fortified Buildings Act*.

In 2009, PSI received 342 complaints under *The Safer Communities and Neighbourhoods Act*. Following investigation, 71 drug, prostitution and solvent operations involving 88 separate complaints were closed. Two complaints were referred to another agency, 66 complaints were closed due to insufficient evidence and 39 complaints remain under active investigation. Fourteen owners removed fortifications from their property following an inspection conducted under *The Fortified Buildings Act*.

High Risk Witness Management Program

The High Risk Witness Management Program (HRWM) provides support and co-ordinates protection to high risk witnesses as identified by law enforcement personnel under the provisions of *The Witness Security Act*. Since its inception in 2002, the program has accepted 109 cases involving 132 witnesses, and an additional 204 individuals associated to a witness. In 2009, 10 new cases involving 30 individuals were added to the 6 cases still being actively managed in this program. Eleven cases were closed through the court process in 2009, all of which concluded with a conviction. There was one application for admission to the federal government's Witness Protection Program[3] during 2009. This application was not approved and thus funding and services were provided under *The Witness Security Act*. At the end of 2009, the HRWM was managing 12 active cases.

Law Enforcement Training

The branch is responsible for the allocation of federal Canadian Police College courses amongst Manitoba's police services and for assisting smaller municipal police agencies in gaining access to accredited police training institutions. Training programs for private security guards and for municipal by-law enforcement officers with special constable appointments are also the responsibility of the branch.

2 (d) Aboriginal and Community Law Enforcement

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,390	23.00	1,556	(166)	1
Total Other Expenditures	461		913	(452)	2
Total Programs	289		285	4	

Explanations:

1. *Variance is due to vacant staff positions and voluntary reduced work week (VRWW) program savings.*
2. *Variance is due to the new* Police Services Act *implementation being deferred to 2010/2011, the First Nations Facilitator Program not being implemented, and deferral of discretionary expenditures for transportation, communication and supplies/services.*

[3] The provincial HRWM program is designed for short term issues ranging from weeks up to and including four years, as well as an interim step prior to entry into the federal program. The federal program is managed by the RCMP and is designed to accommodate longer term needs.

Victim Services

The Victim Services Branch provides a wide range of services to clients throughout Manitoba, including domestic violence and child victims and victims of the most serious crimes, as outlined under *The Victims' Bill of Rights* (*VBR*). The branch consists of 53 staff that are based out of Winnipeg, Portage la Prairie, Brandon, Selkirk, Dauphin, The Pas, Thompson, Lac du Bonnet and Morris. Crime victim services workers (CVSWs) attend all 69 court centres and circuit locations throughout the province.

Crime victim services workers:

- explain the criminal justice process and advise victims of their options, rights and responsibilities
- provide information and assistance to victims of crime about the incident, their eligibility for victim impact statements and other victim assistance programs
- ensure accurate information is provided to victims about possible financial assistance
- provide short-term counselling and connect victims and their families with community resources
- identify and assess high-risk cases and promote victim safety through protection planning
- work with criminal justice professionals in other areas to co-ordinate and improve victim access to the criminal justice system
- provide written correspondence to Crown attorneys about victims' concerns
- provide court support and help to victims so that they can understand legal decisions

The following programs are included within the Victim Services Branch: Victim Rights Support Service; Child Victim Support Service; Domestic Violence Support Service; Domestic Violence Intervention Unit; Cellphone Emergency Limited Link-up (CELL) Program; Protection Order Designates Service; Victim/Witness Assistance; Compensation for Victims of Crime; and the Victims' Assistance Trust Fund.

Highlights of branch accomplishments in 2009/2010 include:

- In preparation for the National Aboriginal Women's Summit (NAWS) in 2010, the branch supported two Aboriginal women's gatherings in Manitoba through the Victims' Assistance Fund. The purpose of the gatherings was to capture grassroots concerns and identify potential solutions in order to improve the quality of life for Aboriginal women and their families. The information gleaned from the national summit will be used to inform government in the areas of legislation, policies and programs.
- Victim Services took the lead in exploring the creation of a Domestic Violence Death Review Committee in Manitoba. A privacy impact assessment was prepared to ensure that the privacy rights of the surviving family members are respected and to minimize any further re-victimization of family members who may be interviewed or involved in a domestic violence review. Once established, the committee will review domestic violence homicide cases to see what can be learned from them and prevent future tragedies from occurring.
- The fifth phase of *The Victims' Bill of Rights (VBR)* was implemented through the expansion of the *Designated Offences Regulation*. Consequently, victims of a new cluster of specific *Criminal Code* offences are eligible to register for a variety of guaranteed and enforceable rights when dealing with police, prosecutors, the courts and corrections officials. The scope of the act now includes victims of sexual interference, sexual exploitation, invitation to sexual touching, assaulting a peace officer with a weapon or causing bodily harm, aggravated assault of a peace officer, operation of a vehicle with blood alcohol content over .08 causing death, and failure or refusal to provide a sample where an accident causes death.
- Twenty-six presentations were delivered on *WISE (Workplace Initiative to Support Employees)* on Family Violence to workplaces throughout Manitoba. This program promotes family violence awareness and encourages employers to create policies that support affected employees.
- Through funding from Justice Canada's Policy Centre for Victim Issues, Victim Services completed a review of the current policies and practices concerning the Manitoba Victim Impact Statement Program.
- Through federal funding, Victim Services also translated the *Support for Victims of Crime Overview* brochure into Arabic, Chinese, Tagalog, Cree, German, Ojibwa, Punjabi and Spanish, created a child-friendly court preparation booklet, and updated the *Stalking is a Crime* brochure to integrate materials on cyberstalking and related topics.
- Victim Services continued to actively participate in efforts to develop a multi-disciplinary, child-focused Child Advocacy Centre for abused and maltreated children.

Victim Rights Support Service (VRSS)

The Victims' Bill of Rights (VBR) specifies the rights of victims of the most serious crimes in their dealings with police, prosecutors, courts and corrections officials. The first phase of the *VBR* came into force in August 2001 and has since expanded to include 33 of the most serious crimes. An evaluation of the *VBR* conducted in 2006/2007 revealed that Manitoba Justice leads victims' legislation by:

- being the most detailed on the rights of victims
- specifying prescriptive rights as opposed to provisions
- identifying the specific responsibilities of each of the various service providers

CVSWs help victims register for their rights and explain how and when they may exercise them. In 2009/2010, VRSS provided service to 505 victims.

Child Victim Support Service (CVSS)

The Child Victim Support Service helps victims and witnesses of abuse (up to 18 years of age), adult survivors of sexual abuse and other vulnerable victims (on a case-by-case basis) who are involved in the criminal court process. CVSWs identify and alleviate children's fears in relation to the court experience and assist children to develop coping skills for their appearance in court. In 2009/2010, CVSS offered services to 1,279 victims.

Domestic Violence Support Service (DVSS)

The Domestic Violence Support Service helps victims of domestic violence when criminal charges have been laid, or may be laid against their partners. CVSWs explain the cycle of violence, how the cycle may affect victims and their families and how to escape from it. They also help victims to develop protection plans to increase their personal safety. In 2009/2010, DVSS served 5,377 victims.

Protection Order Designates Service

The Domestic Violence and Stalking Act allows victims of stalking or domestic violence to apply for protective orders. Victim Services provides training to community service agencies so that their staff may become designated to assist protection order applicants. To date, 33 agencies have participated in training. There are currently over 90 Protection Order Designates (PODs) in 16 communities across the province.

Domestic Violence Intervention Unit (DVIU)

Established in Winnipeg in 2006, the Domestic Violence Intervention Unit offers support to families who receive police services for domestic violence incidents that occur in Winnipeg, but do not result in charges or arrests. Specially trained workers assist individuals and their families to increase their safety by providing meaningful and appropriate information, support, advocacy and referral. An evaluation completed in 2007 yielded positive results. In 2009/2010, the DVIU responded to 11,620 matters.

Outside of Winnipeg, CVSWs provide services to victims of serious crime (as defined under the *VBR*), victims of domestic violence and child victims/witnesses. Although no formal DVIU program is in place outside of Winnipeg, CVSWs will assist in no-charge domestic violence matters when requested to do so by police.

Cellphone Emergency Limited Link-Up Program (CELL)

The CELL program is a co-operative effort between MTS, Nokia, UTStarcom, social services agencies, police services and Manitoba Justice. A provincial coordinator, in cooperation with 27 social service agencies throughout the province, manages the CELL program, which provides cellphones on a short-term basis to victims of domestic violence and stalking who are deemed to be at very high risk of violence. The phones (69 in total) are pre-programmed to dial emergency services. Nineteen high risk victims of domestic violence accessed the program during 2009/2010.

Victim/Witness Assistance

Victim/Witness Assistance provides support services to victims and witnesses of crime who are subpoenaed to appear in either Provincial Court or Court of Queen's Bench. In 2009/2010 Victim/Witness Assistance provided services to 2,629 victims of crime. Victims/witnesses receive a variety of services, including:

- assistance with filling out victim impact statements
- court orientations and accompaniments
- court cancellation notifications
- reimbursement of expense claims

In 13 separate cases in 2009/2010, independent lawyers were paid through the program to represent the interests of sexual assault victims where defence counsel applied to the court for access to the victim's counselling and/or other records.

Victims' Assistance Trust Fund (VAF)

The Victims' Assistance Trust Fund (VAF) was created in 1986 for the purpose of promoting and delivering services to victims. Since the proclamation of *The Victims' Bill of Rights* (*VBR*) in 2001, Manitoba Justice has continued to provide internal support services to victims of crime as well as grants to police-based and community-based programs.

Funds are generated from provincial and federal surcharges applied to fines or sentences set by the courts. In 2009/2010, the department provided $186 from the Victims' Assistance Trust Fund to police and community agencies that provide services to victims. In 2009/2010, police-based programs that received grants included Brandon Police Victim Services and Pembina Valley Victim Services. Community-based programs that received grants included Manitoba Organization of Victim Assistance (MOVA), Research and Education Solutions for Violence and Abuse (RESOLVE), TRUST (Together, Recognize and Understand Sexual Trauma), Age and Opportunity, Inc. (Older Victim Services), Sexual Assault Discussion Initiative (SADI) and Aurora Family Therapy Centre.

2 (e) Victim Services

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	3,250	49.50	3,506	(256)	
Total Other Expenditures	562		608	(46)	
Grants	186		190	(4)	

Compensation for Victims of Crime

Under the authority of *The Victims' Bill of Rights* (*VBR*), the Compensation for Victims of Crime Program provides compensation for personal injury or death resulting from certain crimes occurring within Manitoba. A claim may be filed by a person who is an innocent victim of a criminal incident or a surviving dependant of a person killed as a result of a crime. Compensation can include income replacement, funeral expenses, training and rehabilitation expenses, medical/dental costs and grief counselling for survivors of homicide victims.

In 2009/2010, the program processed 972 new applications for compensation. It also provided services to approximately 120 long-term pension and wage loss claimants. Total compensation expenses for the 2009/2010 fiscal year were $3.9 million dollars. Actuarial forecasts of long-term liabilities to meet the future compensation needs of all active victim compensation clients were estimated at 2.9 million dollars.

2 (f) Compensation for Victims of Crime

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Other Expenditures	6,721		2,945	3,776	1

Explanation:

1. *Variance is primarily due to an increase in compensation payments ($879) as well as actuarial forecasts of long-term liability ($2,897).*

Law Enforcement Review Agency

The Law Enforcement Review Agency (LERA) is an independent civilian agency established under *The Law Enforcement Review Act* to investigate public complaints of abuse of authority by municipal and local police.

A registrar, clerk and four investigators assist the commissioner of LERA in handling complaints about municipal and local police conduct that arise in the execution of police duties. LERA does not investigate criminal matters. Such matters are referred to the appropriate law enforcement agency.

The act provides several ways to resolve complaints: informal resolution (mediation); admission of disciplinary default by the respondent police officer; or where evidence exists, referral to a Provincial Court judge for public hearing.

The office investigated 280 complaints during 2009/2010, as compared to 260 in 2008/2009. More information on LERA is available in the agency's annual report and on LERA's website at www.gov.mb.ca/justice/lera.

2 (g) Law Enforcement Review Agency

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	459	7.00	514	(55)	
Total Other Expenditures	92		103	(11)	

Office of the Chief Medical Examiner

The Office of the Chief Medical Examiner (OCME) investigates all violent, traumatic, unexplained, unexpected and suspicious deaths in Manitoba, including the deaths of all children and residents of personal care homes and developmental centres, under the authority of *The Fatality Inquiries Act* (FIA). The OCME also attempts to identify situations of risk. Under the FIA, certain deaths require mandatory inquests. The purpose of an inquest, held by a provincial judge, is to make recommendations that may prevent future deaths under similar circumstances. When an inquest is not called, the Chief Medical Examiner (CME) can make recommendations to the minister, government departments or agencies and others with respect to precautions or measures to prevent other similar deaths. The OCME also handles all reports of unclaimed bodies in Manitoba under *The Anatomy Act*.

The Minister of Justice, upon the recommendation of the CME, appoints Manitoba physicians as medical examiners. They have authority under the FIA to authorize autopsies and recommend inquests as necessary. There are 48 medical examiners in Manitoba, 17 of whom are located in Winnipeg.

The OCME has 13 employees, including seven full-time death investigators. During 2009/2010, a total of 5,813 deaths were reported to the OCME. The office investigated and certified 1,562 of these deaths, conducted 4,251 inquiries, ordered 1,129 autopsies and called four inquests. The CME collaborates with foreign universities to provide specialized training to physicians taking post-doctoral studies in forensic pathology. One post-doctoral fellow is accepted yearly and performs approximately 250 autopsies under the supervision of the CME. The

office handled 63 reports of unclaimed bodies. Approximately 3,500 requests for information are received annually.

The OCME submits a report annually to the Minister of Justice on deaths of persons while in custody, deaths of involuntary residents of psychiatric facilities, and deaths of residents of developmental centres. The OCME also submits an annual report to the Minister of Health on the disposition of unclaimed bodies. In addition, the OCME publishes an annual report for the general public to provide a detailed statistical caseload review for the year. To obtain a copy of the OCME annual statistical report, please contact the office at 204-945-2088 or toll free at 1-800-282-8069.

2 (h) Office of the Chief Medical Examiner

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	920	13.00	901	19	
Total Other Expenditures	2,420		2,332	88	

Criminal Property Forfeiture

The Criminal Property Forfeiture Unit was established in June of 2009. Under the authority of *The Criminal Property Forfeiture Act*, the unit's director has access to a unique civil cause of action to seek forfeiture of proceeds and instruments of unlawful activity.

Civil actions under *The Criminal Property Forfeiture Act* are fully separate from criminal law and thus do not rely on successful criminal prosecutions. Forfeiture actions are initiated against property, not people. No criminal record is created and there are no findings of guilt or innocence. Although the director decides whether or not to initiate a civil forfeiture action, it is up to the Court of Queen's Bench to determine – on a balance of probabilities – whether property is proceeds or an instrument of unlawful activity. Monies resulting from successful forfeitures are deposited into the Criminal Property Forfeiture Fund. These funds are then distributed as provided for in section 19 of the act, including the compensation of victims and crime prevention activities.

Property subject to forfeiture must be located in Manitoba and includes both real property (real estate) and personal property (assets such as vehicles, jewellery and cash). Property located outside of Manitoba may also be appropriate for civil forfeiture but would need to be referred to the civil forfeiture office of jurisdiction.

The Criminal Property Forfeiture Act does not provide any powers of search or seizure. Instead, the act is designed to allow the director to work cooperatively with police to use evidence and information gathered in the course of *bona fide* criminal investigations. Material gathered by police during a criminal investigation can be forwarded to the director, who then determines if there is a viable civil forfeiture action. Before initiating a civil action, the director will confirm that the civil proceeding will not jeopardize or conflict with any criminal process related to the unlawful activity. In addition, the director will inquire whether the Crown has decided to pursue criminal forfeiture proceedings under federal legislation.

In the event that the director decides to initiate a civil forfeiture action, a statement of claim or application against the property is filed in the Court of Queen's Bench. The owner of the property can challenge the director's claim by filing a statement of defence or response to the application.

For the first partial year of operation of the unit, i.e., June 2009 through March 31, 2010, the director initiated civil forfeiture actions against 30 properties. By year end, the majority of these matters remained under review by the Court of Queen's Bench. This is predominantly as a result of the administrative process and time requirements for each file to make its way through court proceedings. Three files were, however, resolved by the court during 2009/2010 – which represented three successfully closed files for the Criminal Property Forfeiture Unit. The total amount realized during the year from the disposition of property (including a house and cash) in connection with the three court orders was $326 thousand dollars.

From the $326 thousand dollars deposited into the Criminal Property Forfeiture Fund, the total amount paid for costs and expenses was $226 thousand dollars – representing monies returned to interest holders in connection with a particular property, including banks and credit unions with mortgages on properties. In addition, $12 thousand dollars was recovered from the fund to pay the director's administrative and court costs in these matters. After accounting for costs and expenses, $100 thousand dollars remained in the Criminal Property Forfeiture Fund at year end to support crime prevention activities, law enforcement agencies, and compensation for victims of crime. Decisions as to how these funds will be distributed to benefit specific crime prevention, victims and law enforcement initiatives will be made in future years as the program matures.

2 (j) Criminal Property Forfeiture

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	156	4.00	409	(253)	1
Total Other Expenditures	198		354	(156)	1

Explanation:
1. Variances are primarily due to staff positions remaining vacant for portions of the fiscal year.

Justice Initiatives Fund – Criminal Justice

This section lists Justice Initiative Fund (JIF) expenditures from the criminal justice appropriation. In some years this section may also include expenditures from the administration and finance, and civil justice appropriations. Please see the Justice Initiatives Fund section of this report for more information on these programs.

2 (k) Justice Initiatives Fund

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	FTE	Allocation 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Prosecutions 2009 Inter-Provincial Conference on Organized Crime	19		21	(2)	

Civil Justice

The civil justice appropriation (04-3) is comprised of the Manitoba Human Rights Commission, the Family Law Branch, the Constitutional Law Branch, Legal Aid Manitoba, and a grant to the Manitoba Law Reform Commission. Legislative Counsel, albeit a separate division of the department, is also a part of the civil justice appropriation.

Manitoba Justice's two special operating agencies – Civil Legal Services and the Public Trustee – are also discussed in this section.

Manitoba Human Rights Commission

The Manitoba Human Rights Commission is an independent agency of the Manitoba government. It has a mandate, under *The Human Rights Code*, to restrict unreasonable discrimination and to promote equality of opportunity. The commission enforces the provisions of *The Human Rights Code*, promotes human rights and develops and delivers human rights education programs throughout Manitoba.

A board of 10 commissioners, appointed by the Lieutenant-Governor in Council, establishes policies and disposes of complaints. Commission offices are located in Winnipeg, The Pas and Brandon.

The commission received approximately 4,700 inquiries from the public during the 2009 calendar year. It disposed of 263 formal complaints and 41 matters were resolved through pre-complaint conciliation. This reflected a settlement rate of 43 per cent and a dismissal rate of 40 per cent. While nine complaints were referred to adjudication, three adjudication decisions were released during year. The highest proportion of complaints registered at the commission continued to be on the basis of physical and mental disabilities at 46 per cent.

The commission also continued to work in partnership with other organizations to promote human rights. The Racialized Communities and Police Services Project (RCAPS Project) continued in partnership with researchers from the University of Winnipeg. A new project was undertaken in partnership with the Canadian Human Rights Commission and the Treaty Commissioner's Office. It will involve community meetings to identify and set strategies to deal with the human and treaty rights of Aboriginal people in Manitoba.

Approximately 225 people attended the commission's employment seminars, which were held in Winnipeg and Brandon. Outreach presentations about human rights protections and the commission were delivered to an additional 1,500 people.

The commission hosted three human rights youth conferences in 2009; one in Winnipeg, one in Brandon and the third in Thompson. Over 320 students and teachers from across the province attended the conferences. Each school was given the opportunity to create a public service announcement with a human rights message. The schools received copies for their own use and all of the public service announcements appear on the commission's website.

More detailed information on the activities of the Manitoba Human Rights Commission is available in its separate annual report which is available on the commission's bilingual website at www.manitoba.ca/hrc.

3 (a) Manitoba Human Rights Commission

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,538	21.00	1,534	4	
Total Other Expenditures	527		440	87	

Legislative Counsel

Legislative Counsel prepares all Manitoba statutes and regulations in English and French. The division's two branches, Legislative Counsel and Legal Translation, are headed by the Legislative Counsel, who is an assistant deputy minister and also the law officer of the Legislative Assembly.

Legislative Counsel Branch

This group provides legal advice to all government departments on drafting bills and regulations. It prepares final texts of all laws for publication and puts current versions of the laws on the government website at web2.gov.mb.ca/laws. It also provides bills on the Legislative Assembly website at web2.gov.mb.ca/bills. The group also does periodic reviews to ensure the acts of the legislature are up-to-date.

Legal Translation Branch

The Legal Translation Branch provides a French language equivalent of all acts and regulations and the rules of courts and administrative tribunals. The branch also ensures all documents needed in the Legislative Assembly are available in English and French. This includes preparation of the French version of the orders of the day, votes and proceedings of the assembly, and rulings of the speaker.

3 (b) Legislative Counsel

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	2,139	22.00	2,134	5	
Total Other Expenditures	311		349	(38)	

Manitoba Law Reform Commission

The Manitoba Law Reform Commission (MLRC) is an independent agency of the Manitoba government established by *The Law Reform Commission Act*. The commission issues public reports on the modernization and improvement of provincial laws.

The commission has five members appointed by the Lieutenant-Governor in Council on the recommendation of the minister and is funded through grants from Manitoba Justice and the Manitoba Law Foundation.

The MLRC released three reports in 2009/2010.

On May 14, 2009, the commission released a report titled *Waivers of Liability for Sporting and Recreational Injuries*. This report examines contractual waivers, which are usually required for consumers to participate in a wide variety of activities and generally are designed to negate the civil liability of providers of sporting and recreational activities for the personal injuries or death of consumers. This report provides an overview of civil liability for providers of sporting and recreational activities for the personal injuries or death of consumers arising under three regimes of legal responsibility: *The Occupiers' Liability Act*, the tort of negligence and the law of contract. The report also reviews the potential bases of liability and the principles controlling the validity and scope of waivers of liability. The report concludes with recommendations regarding the enactment of new legislation and suggests that in conjunction with the implementation of new legislation, public awareness initiatives be conducted respecting the rights and remedies of consumers.

On June 30, 2009, the commission released *The Limitations of Actions Act: Draft Report for Consultation*. The draft report describes the structure of the 'modern' limitations regimes found in other jurisdictions, and includes tentative recommendations for reform in relation to both personal and real property limitations. The commission reviewed comments provided on this report during the year and began the process of finalizing its recommendations. A final report is scheduled for release in 2010.

On March 31, 2010, the report entitled *Improving Administrative Justice in Manitoba: Starting with the Appointments Process* was released. This report outlines the elements of appointment policies and the reforms that have been made in other jurisdictions. The commission recommends an appointments framework that is more open and transparent and includes mechanisms for accountability.

The commission was also engaged in the following projects during the year: division of pension benefits between divorced spouses; compensation for loss of dower rights; and defamation law respecting journalism.

More information on the Manitoba Law Reform Commission, including its annual report is available on the Internet at www.gov.mb.ca/justice/mlrc.

3 (c) Grant to Manitoba Law Reform Commission

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Grant	85		85	0	

Family Law

The Family Law Branch provides ongoing family law legal services and advice to a number of government departments and programs, including the Maintenance Enforcement Program, Family Conciliation, the Director of Child and Family Support and three regional child protection agencies, Employment and Income Assistance and the Vital Statistics Agency. The branch develops family law policy, programs and legislative initiatives at the provincial level; and through the Co-ordinating Committee of Senior Officials (CCSO) – Family Justice, the Family Law Branch also plays an active role at the national level. The branch also works to increase awareness of family law initiatives and issues for the general public, the legal profession and law students.

Counsel provide Crown opinions/charging authorization in appropriate cases to law enforcement officials throughout Manitoba in parental child abduction cases. Counsel also deal with international child abduction situations falling under The Hague *Convention on the Civil Aspects of International Child Abduction*. The branch also handles government responsibilities under *The Inter-jurisdictional Support Orders Act*.

The following are examples of some branch activities during 2009/2010:

- continued work with federal, provincial and international officials to review the new international convention on maintenance obligations, including acting as provincial co-chair (legal) of the CCSO - Family Justice Working Group that is preparing a written analysis of the convention's compatibility with Canadian laws and assessing the operational and cost implications involved with implementation of this new international instrument
- continued active federal-provincial-territorial (FPT) work through CCSO - Family Justice by participating at the main table and on numerous working groups
- commenced conduct of a feasibility study on the development of linkages between civil and criminal courts to improve accessibility to court orders respecting cases involving domestic violence
- participated in training and information sessions respecting *The Domestic Violence and Stalking Act* for protection order designates
- presented on inter-jurisdictional support and custody/access/parental child abduction issues to students at University of Manitoba, Faculty of Law
- presented at legal education sessions for various audiences including law enforcement, women's groups and the general public
- continued distribution of *Family Law in Manitoba, 2008* booklet in both print and online versions
- revised and updated family law related information on the Manitoba Justice website
- continued conduct of regular maintenance enforcement show cause hearings, including participation in the operation of the auto-order system at Winnipeg dockets
- continued conduct of video maintenance enforcement show cause dockets from Thompson

- continued work with Family Conciliation, providing comprehensive co-mediation services to parents and assisting with other Family Conciliation initiatives such as the First Choice Pilot Project and grandparent support
- led the development of two legislative initiatives (Bill 19, *The Protection from Domestic Violence and Best Interests of Children Act (Family Law Statutes Amended)* introduced April 12, 2010 and Bill 30, *The Strengthened Enforcement of Family Support Payments and Miscellaneous Amendments Act (Various Acts Amended)* introduced April 28, 2010)

The branch consists of a director, nine Crown counsel and four support staff.

3 (d) Family Law

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,483	14.00	1,642	(159)	1
Total Other Expenditures	181		167	14	

Explanations:
1. Variance is due to vacant and under-filled staff positions and voluntary reduced work week program savings.

Constitutional Law

The Constitutional Law Branch provides the provincial government with efficient, cost-effective legal services on constitutional matters.

Branch counsel provide advice to government departments on constitutional issues when drafting programs and legislation. They also provide advice on language rights, Aboriginal and treaty rights, Aboriginal title claims, Aboriginal consultation requirements, and constitutional issues of national concern. In 2009/2010, the branch provided a total of 294 constitutional opinions to various government departments.

Branch counsel also defend government programs and legislation before the courts in response to constitutional challenges in civil and criminal cases. A constitutional challenge means a law is being challenged in court to see if it violates or is inconsistent with the *Constitution Act*, including the *Canadian Charter of Rights and Freedoms*. In 2009/2010, the branch received 123 notices of constitutional challenge. Ninety notices (73 per cent) involved criminal cases while 33 notices (27 per cent) were constitutional challenges in civil claims against the provincial government.

During 2009/2010, branch counsel appeared in all levels of court in Manitoba and in the Supreme Court of Canada on a variety of constitutional challenges to *The Wildlife Act*, *The Fisheries Act*, *The Forest Act*, *The Highway Traffic Act*, *The Income Tax Act*, *The Tobacco Tax Act*, *The Securities Act*, *The Child and Family Services Act and Employment Insurance Act*. Branch counsel also conducted cases involving malicious prosecutions, firearms issues, human rights complaints, French language services regulations, photo radar enforcement, impaired driving, federal/provincial tax collection, workplace safety issues, labour disputes and media requests for access to court exhibits. Branch counsel also provided assistance to Prosecutions regarding constitutional issues raised in criminal cases including admissibility of evidence, unreasonable delay, disclosure obligations, arbitrary detention and allegations of abuse of process.

The branch consists of a director, six Crown counsel and three support staff.

3 (e) Constitutional Law

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,102	10.00	1,132	(30)	
Total Other Expenditures	183		227	(44)	

Legal Aid Manitoba

Legal Aid Manitoba (LAM) is an independent agency of the provincial government established by *The Legal Aid Manitoba Act*. The agency is managed by a management council consisting of at least seven but no more than nine members appointed by the Lieutenant-Governor in Council.

Legal Aid Manitoba provides three types of services: drop-in advice and information, formal representation and duty counsel. Formal representation is limited to serious criminal matters, serious immigration matters and many family matters; moreover, it is provided to individuals who meet financial eligibility guidelines. Duty counsel provide early stage legal representation for individuals who qualify financially, who are in custody or have been arrested or charged with an offence. Legal Aid Manitoba also has a number of special programs such as the Public Interest Law Centre and the University of Manitoba Law Clinic, as well as poverty law, northern paralegal and other outreach programs.

Highlights of agency accomplishments in 2009/2010 included the following:

- Legal Aid Manitoba implemented the complexity weighted caseload (CWC) model across the organization on April 1, 2009. The CWC model provides LAM with the ability to more accurately measure caseload complexity, provide enhanced staff performance feedback and promote awareness of the complex work performed by staff lawyers.
- Legal Aid Manitoba implemented changes to improve service delivery and ensure a more equitable distribution between staff and private bar counsel. Notably, LAM removed choice of counsel for financially ineligible appointments under section 25 of the *Youth Criminal Justice Act*, set limitations to private bar change of counsel requests, outlined criteria for earlier representation by staff counsel, and expanded staff lawyer's responsibilities on select duty counsel circuits.
- The Winnipeg Law Courts Application Centre was established to assist the judiciary and clients by processing new applicants in a more timely and efficient manner.
- The domestic violence full service duty counsel pilot project expanded Legal Aid Manitoba's criminal service delivery to include certificate coverage for financially eligible clients charged with domestic violence matters.
- Legal Aid Manitoba successfully recruited articling students and junior lawyers in northern Manitoba and was thus able to phase out contracts instituted in 2007/2008 to provide services to northern regions from Winnipeg.
- Legal Aid Manitoba continued its commitment to team development training during 2009/2010. By year end, all members of the executive management committee and most of the supervising attorneys had completed the training. Training for the remaining supervisors will continue in 2010/2011.

One significant challenge LAM faced in 2009/2010 was news that the annual statutory grant from the Manitoba Law Foundation would be substantially below the estimate on which it based its budget. In response to this challenge, LAM implemented cost reduction options during the year. These cost reductions did not, however, affect the level or type of service provided to Manitobans.

In 2009/2010, 30,629 people applied for legal aid. Of those, 26,825 were granted legal aid services by a staff or private bar lawyer. In addition, 9,885 people were provided with informal advice and information and 38,664 were assisted by duty counsel. In all, the total number of people assisted during the year was 75,374. The number of civil certificates issued in 2009/2010 was 6,110 compared to 5,627 in the previous year.

More information on Legal Aid Manitoba, including its annual report, is available on the Internet at www.legalaid.mb.ca

3 (f) Legal Aid Manitoba

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	12,562		14,075	(1,513)	1
Total Other Expenditures	10,468		8,455	2,013	2

Explanation:
1. *Variance is due to vacant and under-filled staff positions and voluntary reduced work week program savings.*
2. *Variance results from a significant decrease in funding from the Manitoba Law Foundation which previously offset the impact of a private bar tariff increase and year end liability adjustment.*

Note: All staff positions assigned to Legal Aid are excluded from the departmental full time equivalent position count due to their Crown corporation status.

Civil Legal Services

Civil Legal Services functions as the law firm to the provincial government. It provides legal services to all government departments, agencies, boards, commissions, committees and government corporations that do not have their own legal counsel. The role of Civil Legal Services flows from the constitutional and statutory responsibilities of the Attorney General as the chief legal advisor to government and the guardian of the public interest.

While Civil Legal Services commenced operation as a provincial government special operating agency (SOA) on April 1, 1995, it remains a branch within Manitoba Justice. Detailed information on the agency can be found in the *Annual Report of the Civil Legal Services Special Operating Agency*. This report is available on the Internet at www.gov.mb.ca/justice/publications/annualreports.

The Public Trustee

The Public Trustee provides trustee services for a fee to the people of Manitoba in situations where no one else is capable or willing to do so. The Public Trustee provides the following types of trustee services:

- administering estates and making personal decisions for people who are not mentally capable of doing so
- administering the estates of mentally competent people who have granted a power of attorney to the Public Trustee
- administering the estates of people who have died in Manitoba with no one else capable or willing to act as administrator
- administering trust monies for people under 18
- administering some adult trusts

While the Public Trustee commenced operation as a provincial government special operating agency (SOA) on April 1, 1996, it remains a branch within Manitoba Justice. Detailed information on the Public Trustee can be found in the agency's annual report. This report is available on the Internet at www.gov.mb.ca/justice/publictrustee/.

Corrections

As the largest division of the department, Corrections contributes to the protection of society by: administering sentences imposed by the courts, the humane care, control and reintegration of offenders into society, working with community agencies, government departments and other levels of government to implement crime prevention activities and policies, and the encouragement of active community participation in achieving these objectives.

The corrections appropriation (04-4) is comprised of three sub-appropriations: Corporate Services, Adult Corrections and Youth Corrections.

During 2009/2010, the Corrections Division continued to face the challenge of accommodating high levels in the adult custody population. From 2008/2009 to 2009/2010, the average adult custody population increased by eight per cent and the four year cumulative increase from 2005/2006 to 2009/2010 was 32 per cent. While the division experienced a five per cent decrease in the average youth custody population from 2008/2009 to 2009/2010, the four year cumulative trend from 2005/2006 to 2009/2010 was an increase of 27 per cent. In order to manage increasing offender populations, the government has committed to expanding available bed-space in provincial correctional facilities.

Highlights of divisional activities in 2009/2010 included the following:

- The division continued to operate the Winnipeg Auto Theft Suppression Strategy (WATSS) in 2009/2010 in collaboration with Manitoba Public Insurance, the Winnipeg Police Service and the Manitoba Prosecutions Service. This four-tiered program seeks to turn low-risk offenders away from auto crime with a community-based intervention strategy. Supervision increases significantly as young offenders enter the high and very-high-risk groups. Through the collaborative efforts of WATSS, auto theft has been reduced by 75 per cent in Winnipeg since 2005.
- A gang suppression and prevention initiative called 'Spotlight' continued to operate in 2009/2010. This program is designed to combine close supervision and swift consequences with collaborative community services to help youth deal with substance abuse, stay in school or find a job. The division also continued to work in partnership with the National Crime Prevention Centre to support five specific gang prevention initiatives in Winnipeg's inner-city. These programs are part of the three-pronged approach to reducing youth gang activity in the province through prevention, intervention and suppression initiatives.
- An additional five youth crime prevention Lighthouses were initiated during 2009/2010 bringing the provincial total to 60 Lighthouse sites. The five new Lighthouse sites are: Brokenhead First Nation, Peguis First Nation, Swan River, Burrows Resource Centre – Winnipeg and Keenelyside – Winnipeg.
- The division continued to develop plans and initiate construction of a number of additional bed space expansion projects in 2009/2010. The construction of a new women's correctional facility to be located in the Rural Municipality of Headingley was started and is expected by to be completed by the summer of 2011. The construction of a new 84 bed expansion to the Brandon Correctional Centre was also started and is expected to be completed by the fall of 2010. The division continued to develop additional detailed design and development plans for a further 224 bed expansion at Milner Ridge Correctional Centre (two phases – 160 and 64 beds) as well as a planned 40 bed expansion of The Pas Correctional Centre. To address youth bedspace challenges, construction began to build a new 48-bed expansion at Agassiz Youth Centre in Portage la Prairie.
- The Youth Corrections Branch continued partnerships with community service providers and the National Crime Prevention Centre to support a program called 'Empowering Justice' to augment the existing auto theft suppression strategy. Using an ecological approach to crime prevention and social development, this initiative will prevent or reduce auto theft offences, enhance public safety, and provide meaningful assessments and interventions to auto theft offenders.
- A partnership was continued with Nova Scotia to implement the ongoing pilot electronic monitoring program for up to 20 high-risk auto theft offenders. This pilot project is testing the use of electronic monitoring technology to provide GPS surveillance of young offenders charged with auto theft in Winnipeg.
- The division continued to carry out and develop a new case management strategy, policy and procedure.
- The division continued to discuss and develop proposals to address Aboriginal justice initiatives with the Manitoba Métis Federation (MMF), Southern Chiefs' Organization (SCO) and Manitoba Keewatinowi Okimakanak (MKO) during the year. Ongoing support was also provided to Onashowewin (a community-based Aboriginal justice program that provides community justice alternatives to both adult and young offenders) in Winnipeg, and the Community Holistic Circle of Healing in Hollow Water that delivers a holistic

approach to address the community's justice needs including working with victims, victim support, offenders, offender support and the community.

Information on prison industry activities is provided in Appendix V.

Corporate Services

The Corporate Services Branch provides leadership to the division in co-ordinating the integration of services to all branches as well as strategic policy development, budget analysis and control, information system development and maintenance, co-ordination of chaplaincy and medical services, internal investigations, operational reviews and audits, training, program development, research and Aboriginal service development.

During 2009/2010, the training component of the Corporate Services Branch was responsible for training 205 new correctional officers for adult and youth custody facilities. This represents a slight decrease compared to 2008/2009 when 206 new correctional officers were trained.

4 (a) Corporate Services

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,776	23.00	2,144	(368)	
Total Other Expenditures	769		594	175	1

Explanation:

1. *Variance results from an increase in recruitment advertising and training activities.*

Adult Corrections

The Adult Corrections Branch manages adult offenders sentenced to less than two years[4] and remanded adult offenders. The branch also supports community justice measures and case manages offenders in the community and in custody.

The branch is responsible for the care and custody of adult offenders sentenced to prison for up to two years less a day, or detained in custody while waiting for a court decision (which is known as remand custody). It also provides services for offenders in custody to help them reintegrate into society. The branch operates seven correctional institutions: Milner Ridge Correctional Centre, Portage Correctional Centre for Women, The Pas Correctional Centre, Brandon Correctional Centre, Dauphin Correctional Centre, Headingley Correctional Centre and the Winnipeg Remand Centre.

Branch staff also manage court orders involving offender supervision in the community, preparing court reports and providing community justice as an alternative to the formal court process. Offender supervision in the community involves probation, conditional sentences, community service orders, fine option and behaviour intervention programs. Community justice approaches include mediation, conferences, forums and community justice committees. Community corrections offices for adult offenders serving their sentences in the community are located in Winnipeg and a number of rural centres across Manitoba.

The following are highlights of program volumes in 2009/2010:

- The average monthly adult probation and conditional sentence supervision caseload size in 2009/2010 increased to 6,561 from 6,224 from the previous year.
- Adult offender registrations in the fine option program increased in 2009/2010 to 897 from 717 the previous year, while adult offender community service order registrations increased to 1,109 from 914 the previous year.
- The average daily adult custody population in Manitoba increased in 2009/2010 to 1,780 from 1,642 the previous year.

[4] Offenders sentenced to two years or more in custody become the responsibility of the federal government (Correctional Service of Canada).

- The percentage of the total provincial custody population in remand status (72 per cent) continued to exceed the percentage of sentenced offenders (28 per cent).

4 (b) Adult Corrections

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	113,124	1,211.18	99,199	13,925	1
Total Other Expenditures	17,105		13,395	3,710	2
Total Programs and External Agencies	2,681		2,300	381	
Total Recoveries from Other Appropriations	(2)		(5)	3	

Explanations:

1. *Variance reflects the significant additional staff and overtime requirements as a result of the high adult custody population.*
2. *Variance is due to requirements for additional volume sensitive items, particularly food, clothing, bedding, transportation and supplies, to accommodate the high custody population.*

Youth Corrections

The Youth Corrections Branch is responsible for the continuum of services for youth involved with the law. The branch is directly responsible for the two youth institutions (Manitoba Youth Centre and Agassiz Youth Centre), probation services in Winnipeg, and policy direction throughout Manitoba on all other youth justice matters.

Branch staff manage court orders involving youth, prepare court reports and provide community justice as an alternative to the formal court process. Offender supervision in the community also involves new supervision orders under the *Youth Criminal Justice Act*. The branch is also responsible for community service orders, fine option, the Intensive Support and Supervision Program, the Youth Bail Management Program and behaviour intervention programs. Community justice approaches include mediation, conferences, forums and community justice committees. Community corrections offices, which provide support for young offenders serving their sentences in the community as well as young people who have been referred to community justice, are located in Winnipeg and a number of rural centres across Manitoba.

The Youth Corrections Branch is also responsible for the delegated authority of the provincial director under the *Youth Criminal Justice Act*. This involves a series of responsibilities, including issuing warrants, suspensions and changing levels of custody.

The following are highlights of program volumes in 2009/2010:

- The average youth probation supervision caseload size in 2009/2010 increased to 1,653 from 1,574 the previous year.
- Young offender registrations in the fine option program increased in 2009/2010 to 307 from 297 the previous year, while young offender community service order registrations increased to 651 from 628 the previous year.
- There were 49 justice committees operating across the province during 2009/2010 and more than 200 volunteer committee members administered community justice (extra-judicial) measures and provided crime prevention and community education services in their communities.[5]
- The Turnabout program supported 119 children and families to assist them in accessing community-based prevention supports.
- The average daily youth custody population in Manitoba decreased to 253 in 2009/2010 from 266 the previous year. The average daily youth custody population level in 2009/2010 was very close to the youth custody population average in the year just preceding the April 2003 proclamation of the *Youth Criminal Justice Act* when the average youth custody population was 257.

[5] In addition to the youth justice committees, the Youth Corrections Branch has other volunteers assisting in delivering correctional services in the community and in youth custody facilities. These activities include tutoring, bail supervision and other services.

The following are highlights of the branch's program development initiatives in 2009/2010:

- An auto theft suppression initiative was continued in collaboration with Manitoba Public Insurance, the Winnipeg Police Service and the Manitoba Prosecutions Service.
- The gang suppression and prevention initiative called 'Spotlight' was continued in 2009/2010. This program is designed to combine close supervision and swift consequences with collaborative community services to help youth deal with substance abuse, stay in school or find a job. It is part of the three-pronged approach to reducing youth gang activity in the province through prevention, intervention and suppression initiatives.
- The branch continued a program called 'Empowering Justice' to augment the existing auto theft suppression strategy. Using an ecological approach to crime prevention and social development, this initiative will prevent or reduce auto theft offences, enhance public safety, and provide meaningful assessments and interventions to auto theft offenders. The program was implemented in cooperation with community service providers and the National Crime Prevention Centre.
- Six community-based crime prevention initiatives were supported through the partnership with the National Crime Prevention Centre, in addition to the continuing five youth gang prevention projects in Winnipeg's inner-city.
- In November 2009, a crime prevention symposium was held with over 150 delegates from across Manitoba.
- The branch continued a partnership with Nova Scotia to implement the ongoing pilot electronic monitoring program for up to 20 high-risk auto theft offenders. This pilot project is testing the use of electronic monitoring technology to provide GPS surveillance of young offenders charged with auto theft in Winnipeg.
- Academic and mental health services delivered to youth were enhanced by the additional staffing resources provided at Manitoba Youth Centre and Agassiz Youth Centre.

4 (c) Youth Corrections

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	33,699	402.98	34,844	(1,145)	1
Total Other Expenditures	3,658		3,744	(86)	
Total Programs and External Agencies	1,983		2,109	(126)	

Explanation:

1. *Variance is due to vacant and under-filled staff positions in youth community operations and a reduction in overtime requirements in youth custody.*

Justice Initiatives Fund – Corrections

This section lists Justice Initiative Fund (JIF) expenditures through Corrections Division programs. Please see the Justice Initiatives Fund section of this report for more information on this fund.

4 (d) Justice Initiatives Fund

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Allocation 2009/10 FTE	Allocation 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Aboriginal Council of Winnipeg (ACW) and Southern Chiefs Organization (SCO) – Onashowewin	233		242	(9)	
Aboriginal Justice Strategy	600		600		
Corrections Provincial Conference on Youth Gang Awareness – March 23 and 24, 2010	17		32	(15)	
Crime Prevention	58		45	13	
Electronic Monitoring	119		108	11	
Healthy Child Manitoba	15		15		
Lighthouses	687		712	(25)	
New Directions for Children, Youth and Families	177		177		
Safe Schools Manitoba	66		66		
SafetyAid Crime Prevention for Older Manitobans	150		150		
Total	**2,122**		**2,147**	**(25)**	

Courts

The Courts Division manages the effective and efficient delivery of court services throughout the province. This includes criminal, family, civil, small claims and summary conviction court matters, court security, prisoner transport, civil enforcement of court orders, and operational support. These services are provided through the division's five branches: Court Services, Winnipeg Courts, Regional Courts, Judicial Services and Manitoba Sheriff Services. The courts appropriation (04-5) is comprised of five sub-appropriations for the division's five branches.

Division services are provided to three levels of court: the Court of Appeal, the Court of Queen's Bench (including the Small Claims Court) and the Provincial Court (including the Summary Convictions Court). (See Appendix II, III and IV for more information on Manitoba court locations and circuits.)

The division manages the Maintenance Enforcement Program (MEP) which enforces court orders and separation agreements that require payment of family support. If necessary, collection action may be taken, including interception of federal payments, garnishing orders, seizure of personal property, property liens, suspension of driving privileges, denial of passports and prosecution.

The division also manages the Fine Collection Program and the Restitution Program. The Fine Collection Program, on behalf of the Manitoba government, municipal governments and the Victims' Assistance Trust Fund, processes, disburses and enforces provincial statute and *Criminal Code* fines that have been ordered by the court. If necessary, collection action may be taken if the fine is not paid voluntarily and within court prescribed time limits. This may include registering the debt with a third party collection agency or credit reporting agency, placement of holds on driver's licences and vehicle registrations, garnishing orders, property liens or property seizure. The Restitution Program monitors the payment of court ordered restitution (money owed to a victim of crime). If payment is not made, the program will advise Corrections Division staff for further action or charges, or advise the victim on the necessary steps to proceed to civil judgment.[6]

The Review Board forms part of the Courts Division. It is an independent panel established under the *Criminal Code* to deal with those charged with a criminal offence who have been found unfit to stand trial or have been found not criminally responsible because of a mental disorder.[7]

The division includes the Vehicle Impoundment Registry which is the administrative centre where the status of each vehicle seized in Manitoba is recorded. Detailed information on the Vehicle Impoundment Registry can be found in its annual report. To obtain a copy, call 204-945-4454 in Winnipeg.

The division has also provided operational and/or grant support to the Helen Betty Osborne Memorial Foundation (HBOMF) since its inception in 2000. This foundation provides educational assistance to Aboriginal students attending Manitoba post-secondary institutions.

The division undertook a number of new initiatives in 2009/2010, some of which are described below.

- Justices of the Peace - A twenty-first judicial justice of the peace was appointed to address delays in the determination of summary conviction offences in Winnipeg.
- *The Courts Administration Improvement Act* was proclaimed on July 31, 2009. A key amendment change to *The Summary Conviction Act* allows the Registrar of Motor Vehicles to place holds on vehicle registrations until individuals and businesses pay outstanding fines and fees for provincial offences. This legislation also provides municipalities with the ability to participate in the Screening Officer Program and formalized the process for using remote videoconferencing for summary conviction matters.

The following are other highlights of division initiatives in 2009/2010:

- Digital Audio Recording Initiative – The division commenced its installation of digital audio recording software in the Winnipeg Courts. Implementation will then continue throughout the rest of the province, with

[6] Restitution ordered solely to Manitoba Public Insurance (MPI) is excluded from this process. MPI monitors these restitution orders separately.

[7] In accordance with *The Public Sector Compensation Disclosure Act*, the six members of the Review Board received $87 in compensation in the aggregate and there were no board members that individually received compensation of $50 or more annually.

complete conversion of all courtrooms throughout Manitoba in 2010/2011. Key indicators of success of this initiative include the reliability of the system, improved audio quality, improved efficiency of work processes, minimized risk of equipment failure resulting in court proceedings not being recorded, and user satisfaction.

- Maintenance Enforcement Program – The program has continued its work on replacing its outdated computer system which will occur by modifying a system that Manitoba has purchased from the Government of Alberta to develop the new Manitoba Maintenance Management Program (M^3P). Legislative amendments were also introduced in the legislative session for additional requirements of the new computer system.

Court Services

The Court Services Branch provides Winnipeg Courts, Regional Courts, Judicial Services and Manitoba Sheriff Services with expertise in administration, financial management, governance, project reviews, management information systems, and facilities design and use. The branch is also responsible for the collection of court ordered family support and fines.

Highlights during the 2009/2010 fiscal year included:

- In 2009, the Maintenance Enforcement Program had more than 15,400 accounts and disbursed $50.1 million dollars in maintenance payments to recipients, and also directed a total of $3.5 million dollars to the Minister of Finance to offset income assistance costs. The program also took the following enforcement actions against debtors during 2009: issued 2,402 federal garnishing orders, 4,069 regular garnishing orders and 32 pension garnishing orders; placed 1,986 notices of intent to suspend driver's licences; and served 271 summonses by Sheriff Services Civil Enforcement to appear before the court. Special investigative and enforcement efforts continued to be focused on the relatively small number of debtors who have habitually failed to comply with their support obligations.
- In 2009/2010, the Fine Collection Program processed $40.3 million dollars (comprised of $21.7 million in provincial revenue) for provincial statute and *Criminal Code* fines that were paid voluntarily and within court prescribed time frames. In addition, over 14,169 active driver's licence holds were put in place and 799 collection actions (which include garnishing wages and bank accounts and seizing personal property) were taken for outstanding fines. Overall in 2009/2010, enforcement action resulted in a total of $8.7 million dollars (comprised of $5.6 million in provincial revenue) in outstanding fines recovered - including large account balances.
- The Large Account Balance Program was implemented in 2006/2007 to target large balance accounts that have outstanding overdue fines totalling more than $2 thousand dollars. The initiative is in its fourth year and has collected $4.5 million dollars to date.
- The Restitution Program received and disbursed approximately $774 thousand dollars in restitution payments to victims of crime.

5 (a) Court Services

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	5,457	82.50	5,943	(486)	1
Total Other Expenditures	1,798		2,389	(591)	2
Recoverable from Part B – Capital	(99)		(227)	128	1

Explanation:

1. *Variance is due to vacant staff positions and the Manitoba Maintenance Management Program (M^3P) data migration and capital related salary recovery deferral related to extended implementation into 2010/2011 and 2011/2012.*
2. *Variance is due to surpluses in the fine collection commissions and M^3P operating budgets.*

Winnipeg Courts

The Winnipeg Courts Branch provides operational and administrative support to efficiently manage and process all matters in the Court of Appeal, the Court of Queen's Bench (civil, criminal and family), the Provincial Court (adult, youth, family and Summary Convictions Court). Services are also provided to eight circuit court locations outside Winnipeg.

The Winnipeg Courts Branch accepts guilty pleas and/or payments of fines issued by agencies throughout Manitoba which includes Common Offence Notices[8] (CON tickets) and ICES (photo radar) tickets. The branch also accepts deposits of monies which are held in trust and later disbursed through the Suitors' Trust System.

The branch is responsible for the operations of the jury management system, ensuring that sufficient jurors are available to meet the needs of the Court of Queen's Bench's criminal and civil trials.

Branch highlights for 2009/2010 included:

- The Manitoba Court of Appeal centre opened 223 new files in the 2009 calendar year.
- The Winnipeg and St. Boniface Court of Queen's Bench centres opened 18,152 new files and added 184,760 documents to the Court Registry System.
- A total of $3.7 million dollars was received and held in trust within the Suitors' Trust System.
- The Provincial Court processed 52,763 new charges[9] (youth and adult) in Winnipeg centre.
- Summary conviction matters totalled 229,897 in new tickets (charges) issued by agencies throughout Manitoba, with the majority being administered through the Summary Convictions Court in Winnipeg. These included 116,428 regular CON tickets and 113,469 ICES tickets.
- Thirteen jury trials were held in Winnipeg and Winnipeg Jury Management issued 18,375 jury summonses (out of 32,000 names obtained from Manitoba Health cards).
- The Transcription Services Unit (TSU) arranged for transcription of over 146,003 pages of court proceedings, representing approximately 3,253 transcript requests.
- The Review Board sat on 32 days and held 101 hearings for patients under its jurisdiction. During 2009/2010, the board dealt with a total of 93 patients. As of March 31, 2010, 86 patients remained under the board's jurisdiction.
- The Vehicle Impoundment Registry maintained records for 3,687 vehicles seized from people driving while suspended; prohibited; with blood alcohol content over .08; refusing a breathalyzer; refusing or failing a field sobriety test; or committing prostitution related offences.

5 (b) Winnipeg Courts

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	7,488	153.25	7,774	(286)	
Total Other Expenditures	1,550		1,291	259	1

Explanation:

1. *Variance is due to accelerated implementation of a new digital audio recording system in provincial courts.*

[8] CON tickets refer to provincial statute offences, Manitoba regulations and federal regulations covered in the *Contraventions Act*, and various other municipal bylaw offences.

[9] While Manitoba Prosecutions Service opened 46,896 files in 2009/2010, the Provincial Court processed 86,467 new adult and youth charges in the fiscal year. The primary reason for the difference is that Manitoba Prosecutions Service statistics refer to files and Courts Division statistics refer to informations. Manitoba Prosecutions Service can have one file that encompasses a series of charges relating to one incident. As well, Manitoba Prosecutions Service statistics do not include federal offences (such as the *Controlled Drugs and Substances Act* and the *Immigration and Refugee Protection Act*), municipal charges such as bylaw offences, or charges laid as private prosecutions.

Regional Courts

The Regional Courts Branch provides operational and administrative support to efficiently manage and process all matters in the Court of Queen's Bench (civil, criminal and family) and the Provincial Court (adult, youth and family) outside Winnipeg. The regional courts structure provides decentralized court services in two regional centres, Thompson and Brandon. Services are provided in 12 court locations and 43 circuit court locations.

The Regional Courts Branch accepts guilty pleas and/or payments of fines issued by agencies throughout Manitoba which includes Common Offence Notices (CON tickets) and ICES (photo radar) tickets. The branch also accepts deposits of monies which are held in trust and later disbursed through the Suitors' Trust System.

The branch also manages the Aboriginal Courtwork Program, which helps Aboriginal people develop a better understanding of their rights and obligations in the criminal justice system. These court workers explain the court process; the nature of the charges and possible results; help obtain lawyers for the accused; and may also provide support in court. Their services are provided in English, Cree, Ojibwé, Oji-Cree and Dakota at court and circuit court locations throughout Manitoba. The Aboriginal Courtwork Program continues to be engaged in a national education and strategy that builds on the information collected from the Prior Learning and Recognition (PLAR) process.

The Regional Courts Branch works with Aboriginal communities to enhance their involvement in the court process. Regional Courts encourages First Nation communities to identify Elder roles in the court process and to promote regular participation at sittings of the Provincial Court in their communities. Through agreements with the MKO and St. Theresa Point First Nation, Courts Division programs enable communities to establish community justice workers who work with their respective First Nations to utilize traditional healing to bring offenders and the community to peaceful solutions, liaise with the police and the Crown to foster understanding of community issues, and provide the judiciary with options for culturally appropriate dispositions.

Branch highlights for 2009/2010 included:

- The regional Court of Queen's Bench centres opened 3,810 new files and added 49,207 documents to the Court Registry System.
- The Provincial Court processed 33,704 new charges[10] (youth and adult) in the regional court offices.
- Five jury trials proceeded in the regions and 2,150 jury summonses were issued (out of 10,000 names obtained from Manitoba Health cards).
- The Aboriginal Courtwork Program assisted 10,782 clients.
- The five regional Transcription Services Units arranged for transcription of approximately 20,399 pages of court proceedings, representing approximately 733 transcript requests.

5 (c) Regional Courts

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	4,436	76.58	4,406	30	
Total Other Expenditures	2,256		2,216	40	

[10] While Manitoba Prosecutions Service opened 46,896 files in 2009/2010, the Provincial Court processed 86,467 new adult and youth charges in the fiscal year. The primary reason for the difference is that Manitoba Prosecutions Service statistics refer to files and Courts Division statistics refer to informations. Manitoba Prosecutions Service can have one file that encompasses a series of charges relating to one incident. As well, Manitoba Prosecutions Service statistics do not include federal offences (such as the *Controlled Drugs and Substances Act* and the *Immigration and Refugee Protection Act*), municipal charges such as bylaw offences, or charges laid as private prosecutions.

Judicial Services

The Judicial Services Branch provides direct support to the judiciary of the Court of Appeal, the Court of Queen's Bench and the Provincial Court through judicial assistants, researchers and coordinators. Judicial services are also provided throughout the province by small claims court officers and justices of the peace. Branch staff facilitate the effective operation of the courts by acting as a liaison between the judicial branch of government, the executive branch of government, the public and the legal profession.

Under the direction of the Chief Justice of the Court of Queen's Bench and the Chief Judge of the Provincial Court, all appearances on criminal, civil and family matters before the courts are scheduled by coordinators to ensure effective use of judicial resources and courtrooms. This includes Provincial Court pre-trial coordinators who preside in court to ensure that procedural matters are addressed within agreed-upon timelines, freeing up judges to deal with the substantive legal issues.

Over 160 justices of the peace provide judicial services in 14 court locations and over 60 communities under the judicial direction of the Chief Judge of the Provincial Court. There are three types of justices of the peace in Manitoba: judicial justices of the peace, staff justices of the peace and community justices of the peace. Judicial justices of the peace perform duties where independence from the executive and legislative branches of government is required such as conducting trials and sentencing hearings under *The Summary Convictions Act*, making protection orders under *The Domestic Violence and Stalking Act*, and issuing search warrants. Staff justices of the peace are located in court offices throughout the province and their duties include such matters as setting hearing dates, reviewing documents with an accused person and processing the laying of charges. Community justices of the peace are residents of communities across Manitoba, and their duties include swearing of informations, issuing summonses, warrants, subpoenas, and consent releases from custody.

Five court officers in the Court of Queen's Bench hear small claims court matters in 18 locations throughout Manitoba.

Branch highlights for 2009/2010 included:

- Ongoing educational programs were provided to all justices of the peace through the office of the director of justice of the peace services under the direction of the Chief Judge of the Provincial Court. Ongoing training was provided to judicial justices of the peace to enable more summary conviction trials to be heard in Winnipeg.
- Development of an electronic Provincial Court "rota" (scheduling) system continued.

More information on the Provincial Court of Manitoba is available in its annual report, which is available on the Manitoba Courts website at www.manitobacourts.mb.ca.

5 (d) Judicial Services

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	18,557	83.50	18,721	(164)	
Total Other Expenditures	2,297		2,025	272	

Sheriff Services

Sheriff Services is comprised of Winnipeg and regional Sheriff Services' offices.

Winnipeg operations are responsible for the security of 53 courtrooms in the Winnipeg Law Courts Complex and the security at eight circuit court locations. A perimeter security system is operated at the Winnipeg Law Courts Complex, preventing weapons and other contraband from entering the facility.

Regional operations has five offices located at Portage la Prairie, Brandon, Dauphin, The Pas and Thompson. Regional Sheriffs service 12 court and 48 circuit court locations.

Sheriff Services is responsible for the transport of all incarcerated persons to and from court from the various federal and provincial correctional facilities in Manitoba. Sheriffs also enforce all writs of seizure and sale; conduct evictions; arrest individuals on civil warrants; and serve various summonses, subpoenas, protection orders and other court directed documents.

Branch highlights for 2009/2010 included:

- Winnipeg sheriffs transported 7,657 prisoners to court, travelled 457,557 kilometres by road and 14,912 kilometres by air.
- Regional sheriffs transported 14,764 prisoners to court, traveled 679,791 kilometres by road and 146,011 kilometres by air.
- Manitoba Sheriff Services provided security at 13 jury trials in Winnipeg and five in regional court offices.
- Sheriff Officers scanned 253,950 individuals entering the Winnipeg Law Courts Complex.
- Sheriffs served a total of 3,292 legal documents including protection orders and subpoenas (2,089 by Winnipeg officers; 1,203 by regional officers).
- Sheriffs executed 272 writs of seizure and sale (238 by Winnipeg officers; 34 by regional officers).
- The Civil Enforcement Unit issued 3,702 sheriffs' certificates provincially.
- Total monies received from all sources (including sheriffs' certificates) was $212 thousand dollars.
- Sheriff Services completed its replacement of all analog radios with digital handheld radios and replaced ballistic vests for all officers.

5 (e) Sheriff Services

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	Estimate 2009/10 FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	6,880	89.97	6,468	412	1
Total Other Expenditures	2,220		1,875	345	1

Explanation:
1. Variance is comprised of additional staffing and travel costs related to an increase in prisoner escorts.

Costs Related to Capital Assets

Manitoba Justice's inventory of capital assets includes machinery, equipment and information systems. The department is required to amortize its assets, which is a gradual write-off of the initial cost of the asset over its useful life. In addition, interest expense is also applied to capital funds on net book value.

Major capital assets requiring amortization in 2009/2010 included desktop services, SAP support, government air, and existing assets including equipment and information systems projects and major computer applications.

- Desktop services refers to the cost of enterprise software licences for desktop computer equipment for use in Manitoba Justice.
- SAP support refers to the protection, maintenance and enhancement of the government's SAP software. Introduced in 1999, SAP (Systems, Applications and Products in Data Processing) is the integrated management software Manitoba uses to support business and administrative requirements across government. SAP software is used by many staff and as a result Manitoba Justice is required to pay a share of the overall government amortization costs for the system.
- Government air refers to the department's contribution (based on use) to amortize the province's fleet of aircrafts, used primarily by justice personnel for circuit court travel.
- The existing asset inventory includes information systems projects, major computer applications, furniture, equipment and machinery.

The amortization of existing assets and interest expense are provided as of March 31, 2010.

04-6 Costs Related to Capital Assets

Expenditures by Sub-Appropriation	Actual 2009/10 $(000s)	FTE	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Desktop services	408		408		
SAP support	340		340		
Government air	189		258	(69)	1
Amortization–Existing assets at March 31, 2010	959		1012	(53)	
Interest expense	550		631	(81)	
Total	**2,446**		**2,649**	**(203)**	

Explanation:

1. *Government air capital interest charges were not recovered from departments as anticipated in the budget.*

Financial Information Section

Reconciliation Statement of Printed Vote

DETAILS	2009/10 ESTIMATES $(000s)
2009/10 MAIN ESTIMATES	**$ 386,807**
MAIN ESTIMATES AUTHORITY TRANSFERRED FROM:	
- Justice Initiatives	2,168
- Internal Service Adjustments	2,798
2009/10 ESTIMATE	**$ 391,773**

Manitoba Justice

Expenditure Summary
for the fiscal year ended March 31, 2010 with comparative figures for the previous year

2009/10 Estimate $(000s)	Appropriation	2009/10 Actual $(000s)	2008/09 Actual $(000s)	Increase (Decrease) $(000s)	Variance Expl. No.
	04-1 Administration & Finance	46	45	1	
46	(a) Minister's Salary				
	(b) Executive Support	765	925	(160)	
637	Salaries	142	137	5	
97	Other Expenditures				
	(c) Policy Development and Analysis	492	442	50	
491	Salaries	128	154	(26)	
140	Other Expenditures				
	(d) Financial & Administrative Services	1,225	1,305	(80)	
1,387	Salaries	423	391	32	
370	Other Expenditures				
	(e) Human Resource Services	1,614	1,462	152	
1,630	Salaries	224	215	9	
196	Other Expenditures				
	(f) Computer Services	1,334	1,289	45	
1,407	Salaries	752	666	86	
861	Other Expenditures	(130)	(149)	19	
(130)	Less: Recoverable from Part B - Capital	**7,015**	**6,882**	**133**	
7,132	**Subtotal 04-1**				

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2010 with comparative figures for the previous year

2009/10 Estimate $(000s)		Appropriation	2009/10 Actual $(000s)	2008/09 Actual $(000s)	Increase (Decrease) $(000s)	Variance Expl. No.
	04-2	**Criminal Justice**				
	(a)	Administration				
421		Salaries	294	238	56	
49		Other Expenditures	58	49	9	
	(b)	Prosecutions				
19,014		Salaries	19,021	17,477	1,544	1
3,186		Other Expenditures	4,667	3,820	847	2
742		Witness Programs	1,241	989	252	3
	(c)	Provincial Policing				
102,351		Gross Expenditures	100,580	95,387	5,193	4
(2,000)		Recovery: Rural Economic Development Initiatives	(2,000)	(2,000)	0	
	(d)	Aboriginal and Community Law Enforcement				
1,556		Salaries	1,390	1,409	(19)	
913		Other Expenditures	461	531	(70)	
285		Programs	289	174	115	
	(e)	Victim Services				
3,506		Salaries	3,250	3,196	54	
608		Other Expenditures	562	565	(3)	
190		Grants	186	164	22	
	(f)	Compensation for Victims of Crime				
2,945		Other Expenditures	6,721	4,275	2,446	5
	(g)	Law Enforcement Review Agency				
514		Salaries	459	436	23	
103		Other Expenditures	92	124	(32)	

1. *Prosecutions – Salaries - Variance is related to general salary and retirement increases.*
2. *Prosecutions – Operating - Variance is due to an increase in use of outside counsel, legal membership fees, archiving costs, legal research software charges and operating and accommodation costs related to new staff positions added to address workload issues.*
3. *Prosecutions – Witness Program - Variance is due to an increase in court and legal transcripts, witness transportation, accommodation, food and beverage costs and professional fees.*
4. *Provincial Policing – Variance is due to annual salary, operating and maintenance increases.*
5. *Compensation for Victims of Crime (CVCP) – Variance is due to an increase in the number and severity of claims with compensation, in conjunction with long term liability implications.*

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2010 with comparative figures for the previous year

2009/10 Estimate $(000s)		Appropriation	2009/10 Actual $(000s)	2008/09 Actual $(000s)	Increase (Decrease) $(000s)	Variance Expl. No.
	(h)	Office of the Chief Medical Examiner				
901		Salaries	920	881	39	
2,332		Other Expenditures	2,420	2,322	98	
0		Inquest - Flin Flon Smelter	0	150	(150)	6
0	(i)	Taman Inquiry	0	1,944	(1,944)	7
	(j)	Criminal Property Forfeiture				
409		Salaries	156	1	155	
354		Other Expenditures	198	9	189	
21	(k)	Justice Initiatives	19	53	(34)	
138,400		**Subtotal 04-2**	**140,984**	**132,194**	**8,790**	
	04-3	**Civil Justice**				
	(a)	Manitoba Human Rights Commission				
1,534		Salaries	1,538	1,539	(1)	
440		Other Expenditures	527	465	62	
	(b)	Legislative Counsel				
2,134		Salaries	2,139	2,015	124	
349		Other Expenditures	311	325	(14)	
85	(c)	Grant to Manitoba Law Reform Commission	85	85	0	
	(d)	Family Law				
1,642		Salaries	1,483	1,512	(29)	
167		Other Expenditures	181	190	(9)	
	(e)	Constitutional Law				
1,132		Salaries	1,102	1,075	27	
227		Other Expenditures	183	235	(52)	
	(f)	Legal Aid Manitoba				
14,075		Salaries	12,562	12,396	166	
8,455		Other Expenditures	10,468	8,405	2,063	8
30,240		**Subtotal 04-3**	**30,579**	**28,242**	**2,337**	

6. Inquest – Flin Flon Smelter – The inquest was completed and a report issued in 2008/2009.

7. Taman Inquiry – The inquiry was completed and a final report issued in 2008/2009.

8. Legal Aid Manitoba – Operating - Variance is mainly due to a private bar tariff increase and a reduction in funding from the Manitoba Law Foundation.

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2010 with comparative figures for the previous year

2009/10 Estimate $(000s)		Appropriation	2009/10 Actual $(000s)	2008/09 Actual $(000s)	Increase (Decrease) $(000s)	Variance Expl. No.
	04-4	**Corrections**				
	(a)	Corporate Services				
2,144		Salaries	1,776	1,830	(54)	
594		Other Expenditures	769	646	123	
	(b)	Adult Corrections				
99,199		Salaries	113,124	101,325	11,799	9
13,395		Other Expenditures	17,105	15,608	1,497	10
2,300		Programs and External Agencies	2,681	2,031	650	11
(5)		Recoveries from Other Appropriations	(2)	(2)	0	
	(c)	Youth Corrections				
34,844		Salaries	33,699	31,761	1,938	12
3,744		Other Expenditures	3,658	3,542	116	
2,109		Programs and External Agencies	1,983	1,576	407	13
2,147	(d)	Justice Initiatives	2,122	1,887	235	
160,471		**Subtotal 04-4**	**176,915**	**160,204**	**16,711**	

9. *Adult Corrections – Salaries - Variance is primarily due to staffing cost increases related to overcrowding in the institutions including holding remands at Milner Ridge Correctional Centre.*
10. *Adult Corrections – Operating – Variance is due to an increase in transportation, food, clothing, equipment, supplies and maintenance related to high inmate population and an expansion at Milner Ridge Correctional Centre.*
11. *Adult Corrections – Programs – Variance is primarily due to a volume increase in the Special Needs High Risk Program and the introduction of a bail program by the Elizabeth Fry Society.*
12. *Youth Corrections – Salaries – Variance is due to an Increase in youth custody staffing and indirect salary costs related to increased inmate population.*
13. *Youth Corrections – Programs – Variance is due to an increase in Community Justice Branch grants for the Aboriginal Justice Strategy and justice committees.*

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2010 with comparative figures for the previous year

2009/10 Estimate $(000s)		Appropriation	2009/10 Actual $(000s)	2008/09 Actual $(000s)	Increase (Decrease) $(000s)	Variance Expl. No.
	04-5	**Courts**				
	(a)	Court Services				
5,943		Salaries	5,457	5,084	373	
2,389		Other Expenditures	1,798	1,859	(61)	
(227)		Recoveries from Other Appropriations	(99)	(45)	(54)	
	(b)	Winnipeg Courts				
7,774		Salaries	7,488	7,389	99	
1,291		Other Expenditures	1,550	1,238	312	14
	(c)	Regional Courts				
4,406		Salaries	4,436	4,152	284	
2,216		Other Expenditures	2,256	2,180	76	
	(d)	Judicial Services				
18,721		Salaries	18,557	15,640	2,917	15
2,025		Other Expenditures	2,297	2,292	5	
	(e)	Sheriff Services				
6,468		Salaries	6,880	6,140	740	16
1,875		Other Expenditures	2,220	2,030	190	
0	(f)	Justice Initiatives	0	100	(100)	
52,881		**Subtotal 04-5**	**52,840**	**48,059**	**4,781**	
2,649	**04-6**	**Costs Related To Capital Assets**	**2,446**	**2,127**	**319**	
391,773		**TOTAL EXPENDITURES**	**410,779**	**377,708**	**33,071**	

14. Winnipeg Courts – Operating - Variance is mainly due to accelerated implementation of the court digital audio recording project.
15. Judicial Services – Salaries - Variance is primarily due to compensation increases for judges, masters and the judicial justices of the peace.
16. Sheriff Services – Salaries - Variance results from a general salary increase and filling previously vacant positions.

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2010 with comparative figures for the previous year

2009/10 Estimate $(000s)		Appropriation	2009/10 Actual $(000s)	2008/09 Actual $(000s)	Increase (Decrease) $(000s)	Variance Expl. No.
		Department Summary 04 by Main Appropriation				
7,132	(1)	Administration & Finance	7,015	6,882	133	
138,400	(2)	Criminal Justice	140,984	132,194	8,790	
30,240	(3)	Civil Justice	30,579	28,242	2,337	
160,471	(4)	Corrections	176,915	160,204	16,711	
52,881	(5)	Courts	52,840	48,059	4,781	
2,649	(6)	Costs Related To Capital Assets	2,446	2,127	319	
391,773		**Total**	**410,779**	**377,708**	**33,071**	

Manitoba Justice

Revenue Summary by Source

for the fiscal year ending March 31, 2010 with comparative figures for the previous year

Actual 2008/09	Actual 2009/10	Increase (Decrease)	Source	Actual 2009/10	Estimate 2009/10	Variance	Explanation Number
			GOVERNMENT OF CANADA				
431	435	4.0	Aboriginal Court Worker Program	435	435	0	
607	563	(44)	Child Centered Family Justice Fund	563	443	120	
4,880	4,803	(77)	Legal Aid Agreement	4,803	4,760	43	
1,402	1,785	383	Special Projects	1,785	1,415	370	1
6,433	6,433	0	Youth Justice Services and Programs Agreement	6,433	6,433	0	
13,753	**14,019**	**266**	**Sub-Total**	**14,019**	**13,486**	**533**	
			OTHER REVENUE				
485	486	1	Cost Recovery from City of Winnipeg (Remand Centre)	486	491	(5)	
2,533	2,661	128	Cost Recovery from Municipalities	2,661	2,374	287	
4,334	5,115	781	Cost Recovery from Victims' Assistance Fund	5,115	5,369	(254)	2
221	1,142	921	Escheats to the Crown	1,142	50	1,092	3
28,802	27,318	(1,484)	Fines and Costs	27,318	36,531	(9,213)	4
7,725	8,007	282	Law Fees	8,007	7,033	974	5
2,772	3,182	410	Sundry	3,182	2,899	283	6
46,872	**47,911**	**1,039**	**Sub-Total**	**47,911**	**54,747**	**(6,836)**	
60,625	**61,930**	**1,305**	**TOTAL DEPARTMENTAL REVENUE**	**61,930**	**68,233**	**(6,303)**	

Explanation Number:

1. ***Special Projects - $370 Over Estimate and $383 Over 2008/2009 Actual***
   Variances are due to additional cases and special projects relating to the Intensive Rehabilitative Custody Supervision Program.

2. ***Cost Recovery from Victims' Assistance Trust Fund – $254 Under Estimate and $781 Over 2008/2009 Actual***
   Variances are related to the recovery of the full cost of Victim Services sub-appropriation programs and the partial cost of the Compensation for Victims of Crime Program.

3. ***Escheats to the Crown - $1,092 Over Estimate and $921 Over 2008/2009 Actual***
   Variances are due to the write-off of several large estates held by The Public Trustee.

4. ***Fines and Costs – $9,213 Under Estimate and $1,484 Under 2008/2009 Actual***
   Variance is related to delayed implementation of speeding fine increases and a decrease in the volume of photo enforcement tickets resulting from increased public awareness.

5. ***Law Fees - $974 Over Estimate and $282 Over 2008/2000 Actual***
   Variances are due to an increase in Court of Queen's Bench filing fees and an increase in the number and value of claims filed.

6. ***Sundry - $283 Over Estimate and $410 Over 2008/2000 Actual***
   Variances are due to an increase in the number of federal prisoners held in provincial custody facilities and revenue from Manitoba Public Insurance Corporation (MPIC) for the youth auto theft suppression initiative based on actual expenditures.

Manitoba Justice

Historical Information

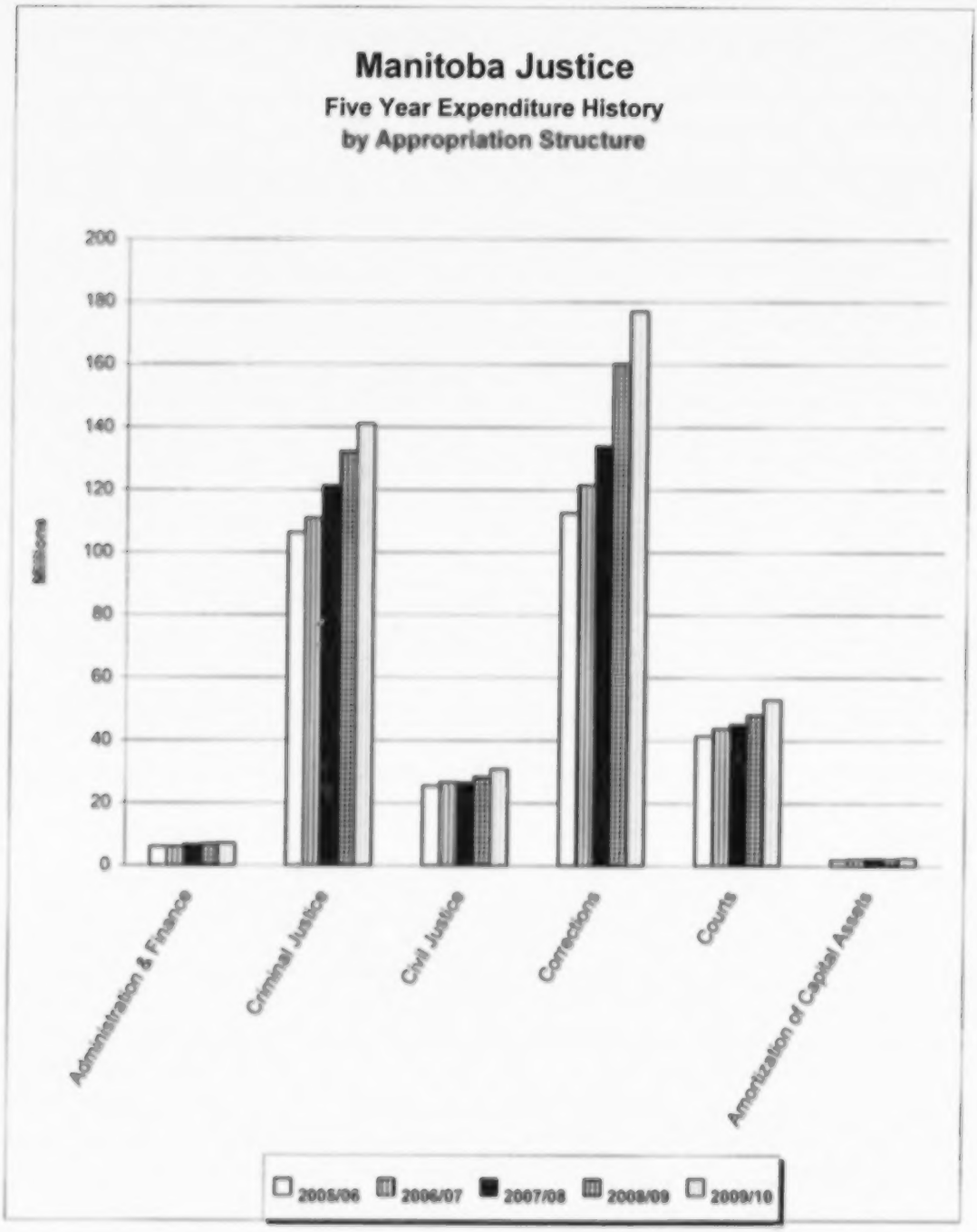
Five-Year Expenditure and Staffing Summary by Appropriation $(000s)

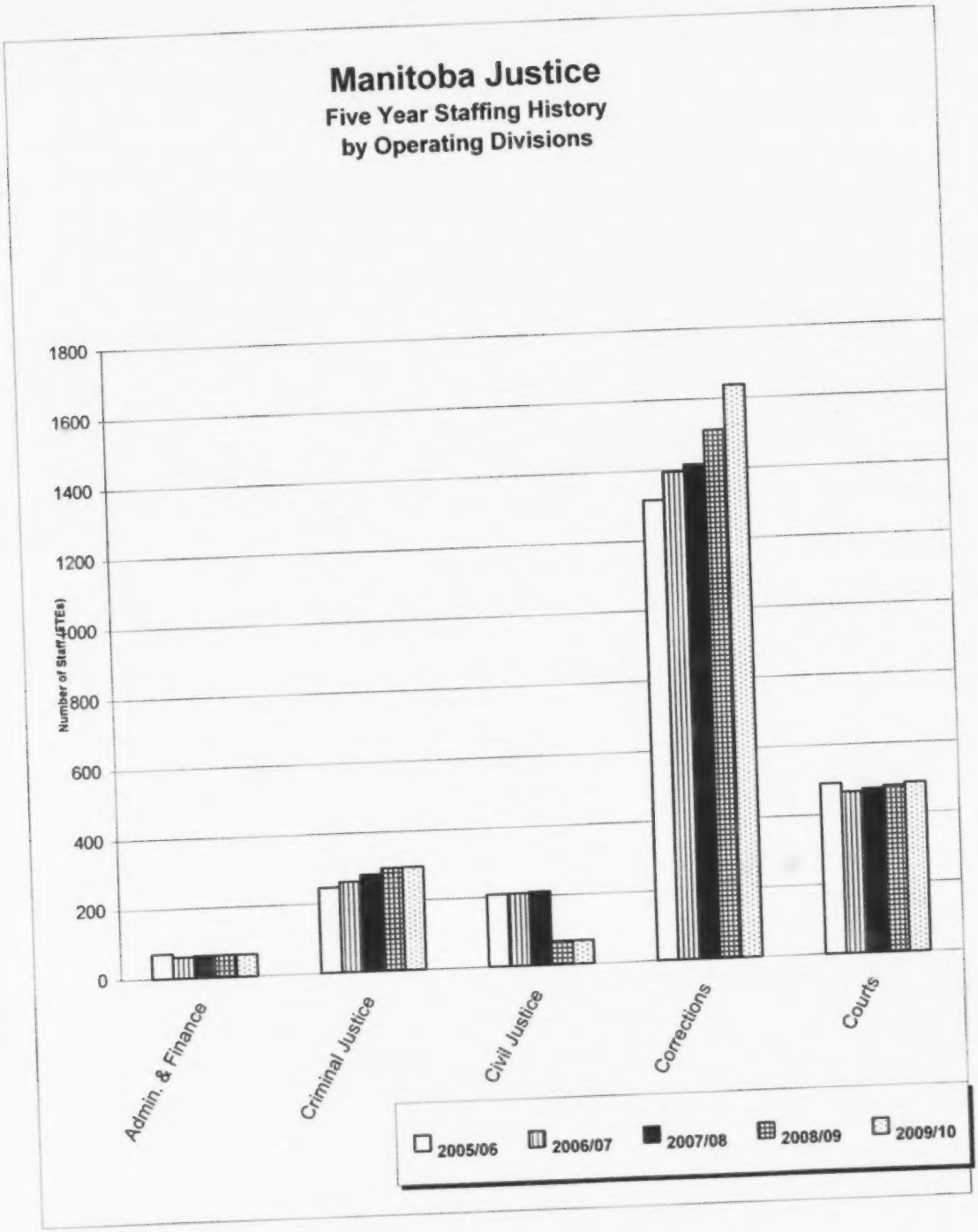
For Years Ending March 31, 2005 to March 31, 2010

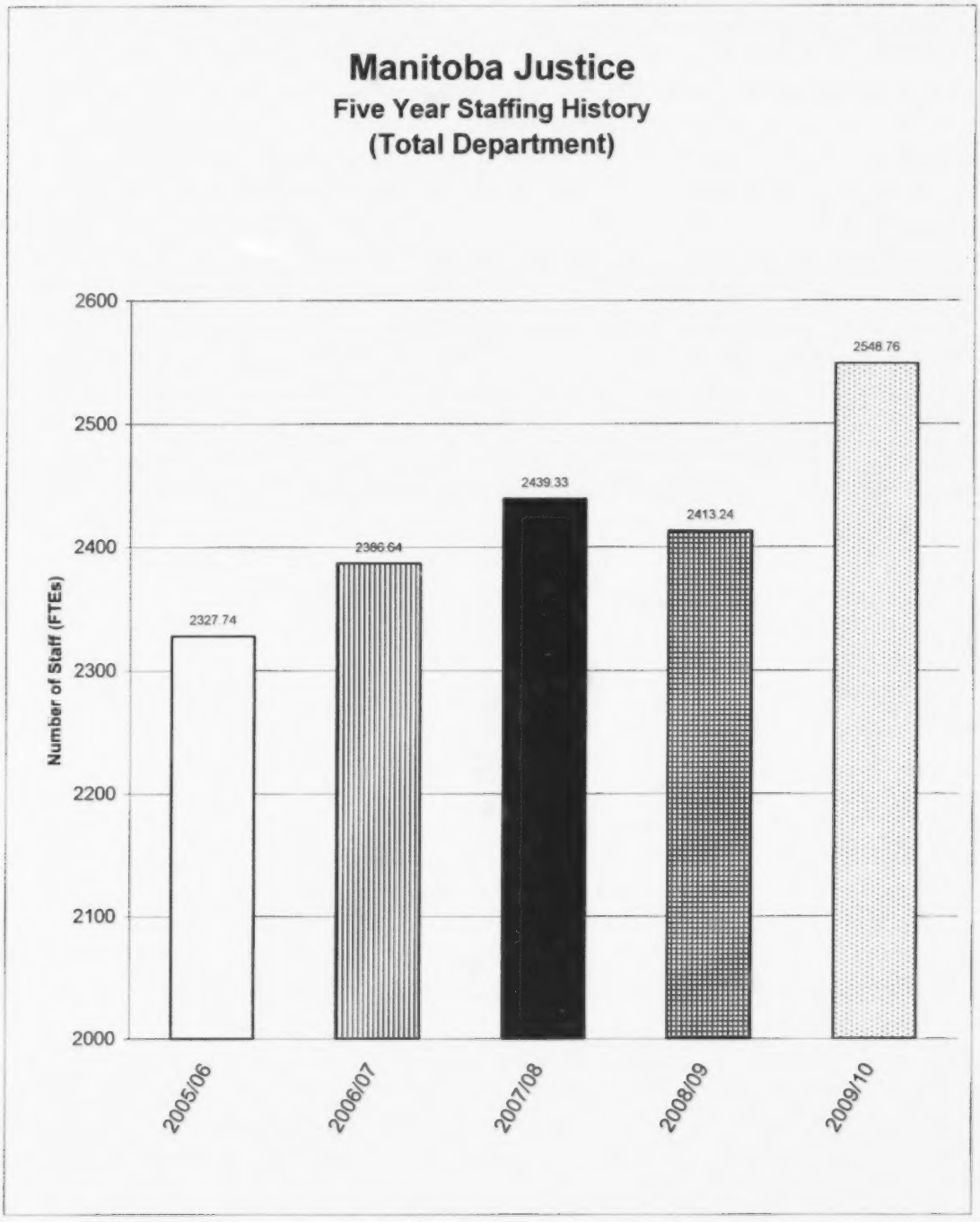
APPROPRIATION	Actual/*Adjusted Expenditures									
	2005/06		2006/07		2007/08		2008/09		2009/10	
	FTE	$(000's)	FTE	$(000's)	FTE	$(000's)	FTE	$(000's)	FTE	$(000's)
04-1 Admin. & Finance	70.50	5,869	60.50	5,830	63.50	6,509	63.50	6,882	62.50	7,015
04-2 Criminal Justice	244.80	106,143	259.80	110,831	279.30	121,206	294.30	132,194	296.30	140,984
04-3 Civil Justice	207.50	25,487	208.50	26,607	211.50	26,470	67.00	28,242	67.00	30,579
04-4 Corrections	1,315.14	112,565	1,394.04	121,401	1,413.23	134,003	1,509.64	160,204	1,637.16	176,915
04-5 Courts	489.80	41,326	463.80	43,618	471.80	45,067	478.80	48,059	485.80	52,840
04-6 Costs Related To Capital Assets		1,878		2,040		2,194		2,127		2,446
Total	**2,327.74**	**293,268**	**2,386.64**	**310,327**	**2,439.33**	**335,449**	**2,413.24**	**377,708**	**2,548.76**	**410,779**

Note: The 2009/2010 position count for Civil Justice reflects the exclusion of Legal Aid Manitoba positions due their Crown corporation status. The 2005/2006 position count for Courts reflects the exclusion of judge's and master's positions and 2006/2007 reflects the exclusion of judicial justices of the peace in recognition of their judicial independence.

Note: Actual expenditures for 2008/2009 and thereafter reflect the inclusion of the full annual cost of employee pension liability.


Manitoba Justice
Five Year Expenditure History
by Appropriation Structure
$Millions
200
180
160
140
120
100
80
60
40
20
0
Administration & Finance
Criminal Justice
Civil Justice
Corrections
Courts
Amortization of Capital Assets
2005/06
2006/07
2007/08
2008/09
2009/10


Manitoba Justice
Five Year Staffing History
by Operating Divisions
Number of Staff (FTEs)
1800
1600
1400
1200
1000
800
600
400
200
0
Admin. & Finance
Criminal Justice
Civil Justice
Corrections
Courts
2005/06
2006/07
2007/08
2008/09
2009/10


Manitoba Justice
Five Year Staffing History
(Total Department)
Number of Staff (FTEs)
2600
2500
2400
2300
2200
2100
2000
2327.74
2386.64
2439.33
2413.24
2548.76
2005/06
2006/07
2007/08
2008/09
2009/10

Performance Reporting

The following section provides information on key performance measures for the department for the 2009/2010 reporting year. This is the fifth year in which all Government of Manitoba departments have included a performance measurement section, in a standardized format, in their annual reports.

Performance indicators in departmental annual reports are intended to complement financial results and provide Manitobans with meaningful and useful information about government activities, and their impact on the province and its citizens.

For more information on performance reporting and the Manitoba government, visit www.manitoba.ca/performance.

Your comments on performance measures are valuable to us. You can send comments or questions to mbperformance@gov.mb.ca.

Notes on Justice Performance Measure Information

The law and the justice system are important to Manitobans because they provide order in society, a peaceful way to settle disputes, and a means of expressing the values and beliefs of our province and country. The justice system deals with a broad range of criminal, constitutional and administrative laws. It also provides processes to resolve private disputes peacefully and fairly in matters such as contracts, property ownership, family rights and obligations, and damages to property.

One of the most unique, and arguably challenging, features within the justice system is the number of independent, but interdependent participants in the criminal justice continuum with defined legal responsibilities: police, prosecutors, defence lawyers (including legal aid counsel), members of the judiciary in three levels of court and corrections officials. Each participant has distinct roles and responsibilities, and many are at odds with one another, yet for the system to be effective the stakeholders must understand, accept, and respect each others' roles and responsibilities. Manitoba Justice, as a provincial government department, has a variety of roles to play in supporting the overall system through its stated vision of *"a safe, just and peaceful society supported by a justice system that is fair, trusted, effective and understood."*

Despite the importance of the justice system in supporting the social well-being of Manitobans, it is very difficult to adequately measure its effectiveness because of the complexity of our laws, the number of independent stakeholders in the system, the need for fairness and due process, and the extremely wide variety of individual matters that the system must handle.

Developing valid and reliable performance indicators will continue to pose a challenge for the department as we look into the future. Despite these significant challenges, Manitoba Justice has committed to embarking on a performance measures initiative. The measures that the department has developed thus far are described in the table below.

What is being measured and using what indicator?	Why is it important to measure this?	Where are we starting from (baseline measurement)?	What is the most recent available value for this indicator?	What is the trend over time?	Comments/ Recent Actions/ Report Links
(1) Safer communities, by measuring the number of police officers per capita in Manitoba as compared to other provinces.	Strong and effective policing enhances safety in Manitoba communities. Manitoba Justice directly funds the RCMP provincial police services and the Manitoba government provides grants to support major municipal police forces.	This measure compares Manitoba to other provinces on an ongoing basis. Manitoba was second highest among the provinces in 2000, with 187 police officers per 100,000 population.	In the 2009 calendar year, Manitoba had the second highest number of police officers per capita of any province in Canada with 204 per 100,000 population. See Figure 1 below.	Manitoba has maintained a ranking of second or third highest among the provinces in the past five years (i.e., 2005 – 2009). The actual per capita number has increased from 187 to 204 since 2000.	Policing has been strengthened throughout the province with funding for a significant number of additional police officers to serve Winnipeg, Brandon, rural and northern Manitoba. The 2009 provincial budget committed to support the hiring of ten new police officers for the City of Winnipeg and one new police officer for Brandon.
(2) Safer communities, by measuring the number of operations in problem properties (including drug, sniff and prostitution houses) closed by the Public Safety Investigations Unit (PSIU).	Manitoba enacted *The Safer Communities and Neighbourhoods Act* and *The Fortified Buildings Act* to target properties that continually and habitually present problems of public safety. These problem properties include fortified buildings, places where drugs are sold or used, alcohol is sold without a licence, sniff is made available, prostitution and related activities are taking place, children are being sexually abused or exploited, or unlawful firearms, weapons or explosives are being stored.	*The Safer Communities and Neighbourhoods Act* came into force on February 19, 2002. Thirty-six operations were closed in 2003, the first full year of operations for the PSIU.	In the 2009 calendar year, 71 operations in problem properties were closed in Manitoba.	The number of operations closed has been increasing over the past five years. From the 2002 establishment of the PSIU through to the end of the 2009 calendar year, 414 operations in problem properties have been closed in Manitoba. See Figure 2 below.	Manitoba's *Safer Communities and Neighbourhoods Act* has established a national precedent in reclaiming the safety and security of neighbourhoods plagued by drugs, prostitution and solvent abuse. A number of Canadian jurisdictions have developed similar legislation based on Manitoba's example.

What is being measured and using what indicator?	Why is it important to measure this?	Where are we starting from (baseline measurement)?	What is the most recent available value for this indicator?	What is the trend over time?	Comments/ Recent Actions/ Report Links
(3) Aboriginal justice, by measuring the percentage of Aboriginal people served by First Nations policing programs.	Making justice processes more respectful of Aboriginal cultures and values is an ongoing goal of Manitoba Justice. First Nations policing programs provide First Nations communities with more input into the policing services that they receive.	The federal First Nations Policing Policy (FNPP) was established in 1991.	An estimated 30 per cent[11] of Manitoba's First Nations communities were receiving funding under the FNPP for the 2009 calendar year.	Since the First Nations Policing Policy (FNPP) was created in 1991, the percentage of Aboriginal people served by First Nations policing programs has been increasing. Estimated percentages only, however, are available at this time.	During 2009/2010, the RCMP under the First Nations Community Policing Service (FNCPS) policed ten First Nations communities – an increase from nine communities in 2007/2008. The Dakota Ojibway Police Service – a standalone First Nations police service – was policing 5 First Nations in Manitoba in 2009. Future expansion of First Nations policing in Manitoba is contingent on renewed availability of federal funding.
(4) Offender accountability and safer communities, by measuring the Manitoba adult incarceration rate as compared to other provinces.	Manitoba is taking an aggressive stand on violent and gang-related crimes by continuing to oppose bail for those crimes as well as advocating for longer periods of incarceration.	This measure compares Manitoba to other provinces on an ongoing basis. Manitoba had the second highest incarceration rates among provinces in 1999/2000 with 129 inmates in custody per 100,000 adult population.	Manitoba's 2008/2009 adult incarceration rate was the second highest of all Canadian provinces with 177 inmates in custody per 100,000 adult population. See Figure 3 below.	Manitoba has had the second highest rate among the provinces in the past five years (i.e., 2004/2005 – 2008/2009).	In order to manage increasing offender populations, the government has committed to expanding available bed-space in provincial correctional facilities. Construction was completed on the expansion of Milner Ridge Correctional Centre (MRCC) during 2009/2010. Construction also began to replace the Women's Correctional Facility and expand the Brandon Correctional Centre during the year. Budget 2009 also included funding for additional staff and resources at Milner Ridge and other correctional facilities.

[11] Manitoba Justice is working with the federal government's RCMP Aboriginal Policing Directorate to refine the methodology for calculating annual percentages.

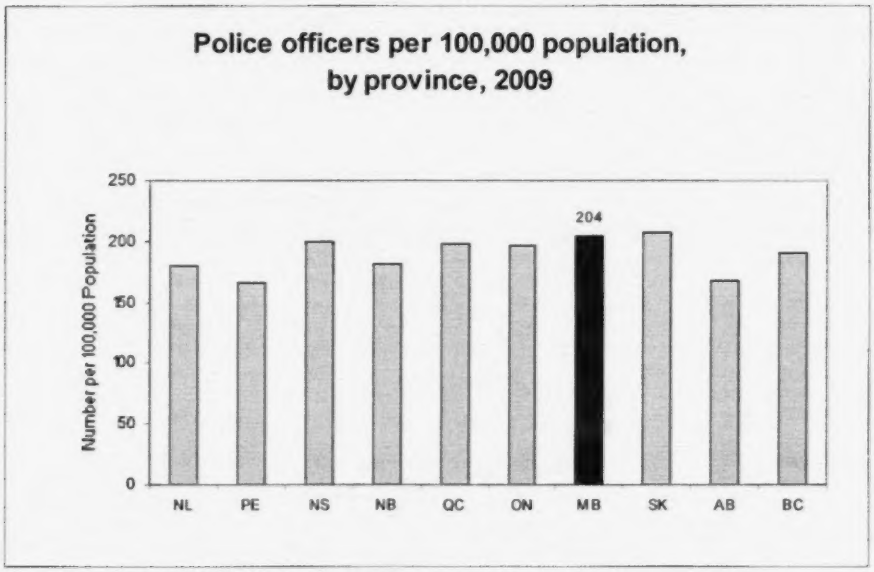
What is being measured and using what indicator?	Why is it important to measure this?	Where are we starting from (baseline measurement)?	What is the most recent available value for this indicator?	What is the trend over time?	Comments/ Recent Actions/ Report Links
(5) Offender accountability and safer communities, by measuring the Manitoba youth incarceration rate as compared to other provinces.	Manitoba is committed to strengthening sanctions for serious youth crime, particularly crimes of violence.	This measure compares Manitoba to other provinces on an ongoing basis. Manitoba was second highest among the provinces in 1999/2000 with 30 young persons in custody per 10,000 youth population.	Manitoba's 2008/2009 youth incarceration rate was tied for the highest of all Canadian provinces with 26 young persons in custody per 10,000 youth population. See Figure 4 below.	Manitoba has had the highest or second highest rate among the provinces in the past five years (i.e., 2004/2005 – 2008/2009).	The Minister of Justice continued to advocate for national action to amend the *Youth Criminal Justice Act* to deal more effectively with repeat young offenders and youth motor vehicle theft offenders during 2009/2010. Construction also began on a new 48-cell expansion at the Agassiz Youth Centre (AYC) in Portage la Prairie.
(6) Maintaining the integrity of the justice system, particularly access to justice, by measuring the average time from first appearance to disposition in Provincial Court.[12]	A core element of the department's mission is to provide mechanisms for timely and peaceful resolution of civil and criminal matters. Time to disposition is a measure of the justice system's capacity to resolve matters in a reasonable amount of time. This indicator measures the average amount of time it takes to dispose of a criminal charge, not including charges where a warrant for arrest was issued by the court.	2006/2007 marked the first year that data became available for this indicator. In 2006/2007, 57 per cent of the criminal charges that were disposed of in Provincial Court during the fiscal year were disposed of within four months of the first appearance in court and 75 per cent of the criminal charges were disposed of within eight months of the first appearance in court.[13]	2008/2009 data will be available when it is published in the *Annual Report of the Provincial Court of Manitoba, 2008-2009*. In 2007/2008, 52 per cent of the criminal charges that were disposed of in Provincial Court during the fiscal year were disposed of within four months of the first appearance in court and 71 per cent of the criminal charges were disposed of within eight months of the first appearance in court.[14] See Figure 5 below.	Only two years of data are available at this time. The department is, however, working to refine the methodology for this measure, and thereby establish reliable trends over time.	Process reviews, improved procedures and information technology are being employed to address the growing legal complexity of cases in the justice system. Led by the Chief Judge of the Provincial Court, the internationally recognized Front End Project has achieved success in fast-tracking domestic violence cases through the justice system. The project was expanded in 2008 and now includes all adult matters and all youth out-of-custody matters.

[12] More detailed information on this indicator is provided in the *Annual Report of the Provincial Court of Manitoba* - available on the Provincial Court of Manitoba's website at http://www.manitobacourts.mb.ca/pr/provincial_court.html.

[13] Data complexity issues have necessitated that the current methodology developed for this measure excludes charges where a warrant for arrest was issued by the court.

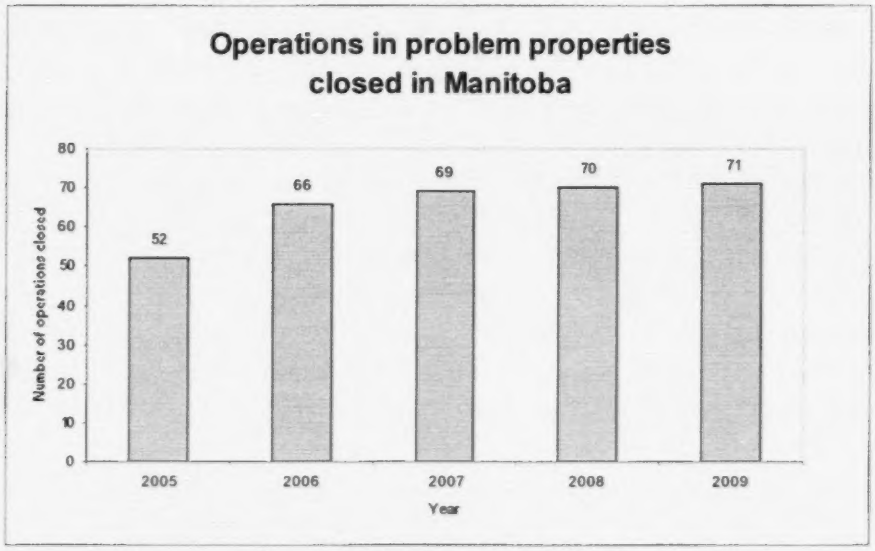
[14] Ibid.

Figure 1:



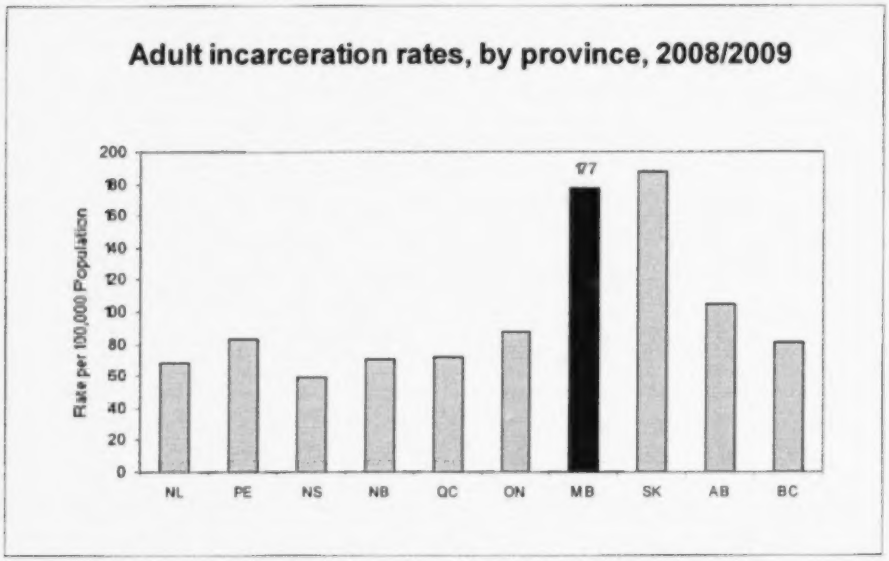
Source: Police Administration Survey, Canadian Centre for Justice Statistics, Statistics Canada

Figure 2:



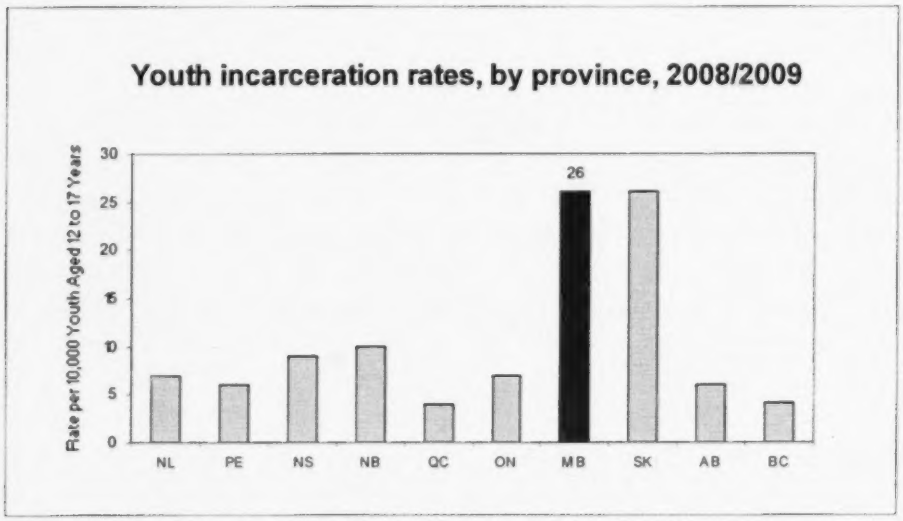
Source: Manitoba Justice Public Safety Investigations Unit

Figure 3:



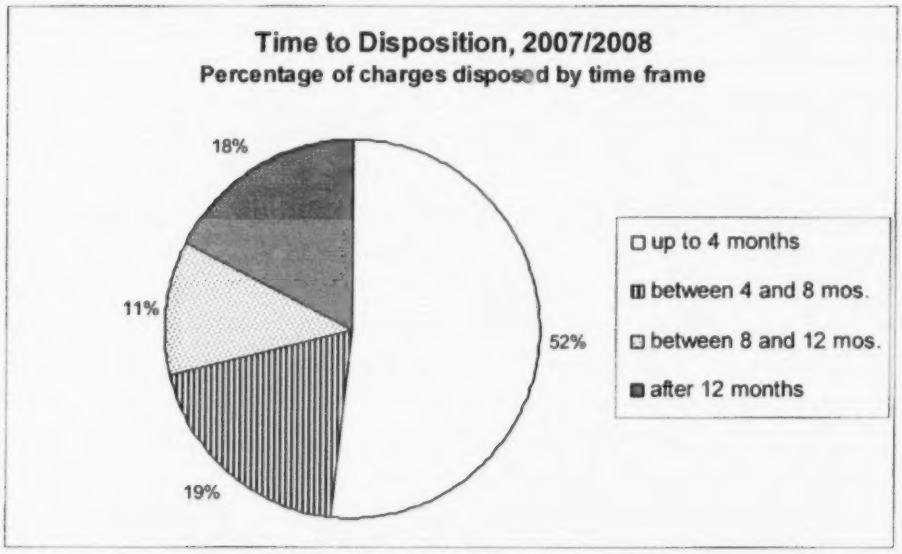
Source: Corrections Key Indicator Report, Canadian Centre for Justice Statistics, Statistics Canada

Figure 4:



Source: Corrections Key Indicator Report, Canadian Centre for Justice Statistics, Statistics Canada

Figure 5:



Source: Manitoba Courts

The Public Interest Disclosure (Whistleblower Protection) Act

The Public Interest Disclosure (Whistleblower Protection) Act came into effect in April 2007. This law gives employees a clear process for disclosing concerns about significant and serious matters (wrongdoing) in the Manitoba public service, and strengthens protection from reprisal. The act builds on protections already in place under other statutes, as well as collective bargaining rights, policies, practices and processes in the Manitoba public service.

Wrongdoing under the act may be: contravention of federal or provincial legislation; an act or omission that endangers public safety, public health or the environment; gross mismanagement; or, knowingly directing or counseling a person to commit a wrongdoing. The act is not intended to deal with routine operational or administrative matters.

A disclosure made by an employee in good faith, in accordance with the act, and with a reasonable belief that wrongdoing has been or is about to be committed is considered to be a disclosure under the act, whether or not the subject matter constitutes wrongdoing. All disclosures receive careful and thorough review to determine if action is required under the act, and must be reported in a department's annual report in accordance with Section 18 of the act.

The following is a summary of disclosures received by Manitoba Justice, The Public Trustee, Civil Legal Services, and Legal Aid Manitoba for fiscal year 2009/2010:

Information Required Annually **(per Section 18 of the act)**	**Fiscal Year 2009/2010**
The number of disclosures received, and the number acted on and not acted on. *Subsection 18(2)(a)*	**NIL**
The number of investigations commenced as a result of a disclosure. *Subsection 18(2)(b)*	**NIL**
In the case of an investigation that results in a finding of wrongdoing, a description of the wrongdoing and any recommendations or corrective actions taken in relation to the wrongdoing, or the reasons why no corrective action was taken. *Subsection 18(2)(c)*	**NIL**

Capital Investment

Capital investment in Manitoba Justice provides development costs to implement information technology systems and acquire equipment. Capital investment authority is contained in Part B of the annual *Estimates of Expenditure*.

In 2009/2010, Manitoba Justice had capital expenditures for equipment acquisitions ($1,078), the co-operative justice system ($481), the court digital audio recording project ($437) and the Manitoba Maintenance (Enforcement) Management Program, or M^{3}P ($545). This is a continuation of previous equipment and systems acquisition practices except that a budget and actual expenditures are now provided under the estimates of capital investment rather than operating appropriations.

Reconciliation Statement of Printed Vote

DETAILS	2009/10 ESTIMATES $(000s)
2009/10 MAIN ESTIMATES	**$3,288**
MAIN ESTIMATES AUTHORITY TRANSFERRED FROM:	
- Capital Assets – Internal Service Adjustments	**573**
2009/10 ESTIMATE	**$3,861**

Capital Investment

Actual 2009/10 $(000s)	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.	Actual 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
2,541	3,861	(1,320)	1	2,141	400	2

Explanation Numbers:

1. *Numerous projects for correctional facilities could not be completed due to time constraints and the Manitoba Maintenance Management Program (M^{3}P) underwent an expanded detailed scoping phase which resulted in the deferral of the next phase to 2010/2011.*
2. *Variance is due to a year-over-year increase in work completed on the Manitoba Maintenance Management Program and the court digital audio recording project that was partially offset by non-recurring secure fencing and expansion projects at correctional facilities in 2008/2009.*

Justice Initiatives Fund

The $2.25 million Justice Initiatives Fund (JIF) supports development of initiatives to prevent crime and to improve the justice system in Manitoba. Funding is allocated from the Enabling Appropriation (26-3). Actual expenditures are recorded in the sub-appropriations of those divisions of Justice that made the specific expenditures.

The following criteria have been established to help evaluate Justice Initiatives Fund proposals:

- Does the initiative have the potential to enhance public safety by deterring or preventing crime?
- Does the initiative have the potential to enhance public safety by improving the effectiveness and efficiency of the criminal justice system's treatment of offenders and their victims?
- Does the initiative address Aboriginal justice issues?
- Will the initiative build on existing community organizations or mechanisms, and will it be responsive to community input and direction?
- Does the initiative respond to the recommendations of a public inquiry or external review of the department's operations?
- Does the initiative have the potential to improve the effectiveness or enhance the efficiency of Manitoba Justice's non-criminal service areas?
- Will the initiative be cost-shared with other levels of government, community organizations, and/or private sector partners?
- Can the initiative be maintained in the long run without significantly increasing government expenditures?

2009/2010 Justice Initiatives Projects and Allocations

Aboriginal Council of Winnipeg and Southern Chiefs' Organization – Onashowewin – This community-based Aboriginal justice program provides community justice alternatives to both adult and young offenders in Winnipeg. Total project funding: $1,775; 2009/2010 funding: $233

Aboriginal Justice Strategy – This project supports the expansion of the First Nations Community Justice Worker Program within Manitoba Keewatinowi Okimakanak (MKO) communities and the development of similar programs in Manitoba Métis Federation (MMF) and Southern Chiefs' Organization (SCO) communities. The MKO First Nations Justice Strategy (FNJS) that provides the template for expansion offers restorative justice approaches in MKO First Nation communities through a Cree Magistrates Court, and the diversion of appropriate offences to community justice committees. Total project funding: $1,217; 2009/2010 funding: $600

Corrections Provincial Conference on Youth Gang Awareness – The Corrections Division hosted a two day conference on March 23 and 24, 2010 in Winnipeg. This conference provided provincial youth correctional staff with up to date information on youth gang activity throughout Manitoba, as well as an opportunity for sharing best practices in working with gang-involved youth and their families, including currently available programming options. 2009/2010 funding: $17

Crime Prevention – The Manitoba Justice Crime Prevention Fund provides financial support to various crime prevention groups and projects to aid in making Manitoba's communities safer places to live. Total 2009/2010 funding (ongoing funding): $58

Electronic Monitoring – This pilot project is testing the use of electronic monitoring technology to provide GPS surveillance of young offenders charged with auto theft in Winnipeg. Total project funding: $241; 2009/2010 funding: $119

Healthy Child Manitoba – Led by the Healthy Child Committee of Cabinet, Healthy Child Manitoba bridges departments and governments and, together with the community, works to improve the well-being of Manitoba's children and youth. Manitoba Justice contributes towards a co-ordinator of networking services for the Manitoba Strategy Responding to Sexually Exploited Children and Youth. Total project funding: $115; 2009/2010 funding: $15

Lighthouses – This program stimulates the development of partnerships that support recreational, educational and social programs for young Manitobans. Lighthouses makes use of schools, recreation centres and other

community facilities outside school hours for sports, arts, music and other activities organized by and for local youth. Manitoba Justice funded 35 Lighthouse sites in Winnipeg and 25 sites in rural Manitoba in 2009/2010. Annual funding for each site is $12. Total project funding: $4,900; 2009/2010 funding: $687

New Directions for Children, Youth, Adults and Families Agency – This funding supports the ongoing operation of the Transition, Education and Resources for Females (TERF) program, aimed at developing healthy lifestyles for young women, adult women and transgendered individuals who have been exploited through prostitution. Total project funding: $1,644; 2009/2010 funding: $177

Prosecutions 2009 Inter-Provincial Conference on Organized Crime - Manitoba Justice hosted the third annual conference on organized crime in Winnipeg from May 27 to 29, 2009. The conference allowed for the exchange of information amongst provincial organizations involved in combating organized crime from across Manitoba, Ontario, Quebec, Saskatchewan, Alberta and British Columbia. 2009/2010 funding: $19

Safe Schools Manitoba – Safe Schools Manitoba is a partnership initiative of organizations committed to working together to enhance the safety of Manitoba's schools and communities. The partners include Manitoba Education, Citizenship and Youth, Manitoba Justice, professional associations, schools, law enforcement, social service agencies, youth, parents and community agencies. Total project funding from Manitoba Justice: $496; 2009/2010 funding: $66

SafetyAid Crime Prevention for Older Manitobans – The SafetyAid program, a crime prevention program for older Manitobans, was first launched in 2003. This two-part senior home security program, funded jointly by Justice and Healthy Living, helps prevent break and enters and home invasions. The program consists of a SafetyAid team and SafetyAid forgivable loans through the Home Adaptation for Seniors Independence (HASI) program. Total project funding from Manitoba Justice: $960; 2009/2010 funding: $150

Justice Initiatives Fund

Allocated 2009/10 $(000s)	Estimate 2009/10 $(000s)	Variance Over (Under) $(000s)	Expl. No.	Allocated 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
2,168	2,250	(82)	1	2,031	137	1

Explanation Number:

1. *Based on the above noted approvals, a total allocation of $2,168 was made to Manitoba Justice. Actual expenditures, however, were $2,141, and these details are provided in the JIF tables for the originating divisions. The balance of available funds ($82) remained unallocated at year-end. Allocations vary from year to year depending on the projects approved in the Estimates.*

Five Year Funding Allocation Summary

2005/06 $(000s)	2006/07 $(000s)	2007/08 $(000s)	2008/09 $(000s)	2009/10 $(000s)
2,012	2,192	2,071	2,031	2,168

Sustainable Development

Section 12 (1) of *The Sustainable Development Act* requires each provincial government department to include information in its annual report about the progress made incorporating sustainable development into its activities. This section of the annual report is intended to identify the department's sustainability in relation to the principles and guidelines of the act, as well as the provincial government's sustainable development procurement goals and guidelines.

Principles and Guidelines

Manitoba Justice furthered its role and mission to promote a safe, just and peaceful society by continuing to incorporate sustainable development principles and guidelines into many of its new and ongoing programs and initiatives. Some programs exemplify more than one principle and/or guideline. Here are a few highlights of how Manitoba Justice incorporated sustainable development into its activities for the 2009/2010 fiscal year.

Shared Responsibility and Understanding

Shared responsibility and understanding is a principle defined as actions that foster a partnership approach to decision making and program delivery. Actions are taken to engage, involve and reflect the interests of various Manitoba communities and groups in departmental decisions and actions.

The department's Winnipeg Auto Theft Suppression Strategy and various Aboriginal justice initiatives and programs including Aboriginal policing, court workers, community participation agreements with First Nations, and a variety of projects funded through the Justice Initiatives Fund exemplify how the department regularly incorporates the principle of shared responsibility and understanding into its ongoing program activities with other levels of government, First Nations communities and organizations, and Crown corporations. New examples of the department's shared responsibilities include:

- The Victim Services Branch of Criminal Justice, with assistance from the Manitoba Prosecutions Service, completed a review of the current policies and practices concerning the Manitoba Victim Impact Statement Program in order to provide recommendations for improved service delivery.
- In response to recommendations of the Taman Inquiry, a new *Police Services Act* was proposed in the legislature to replace the antiquated *Provincial Police Act* and to increase public confidence with more transparency and province-wide standards. The new act (which received royal assent on October 8, 2009) also provides for a civilian-led independent investigative unit, police commission and police boards to oversee local police.
- As part of the department's anti-gang strategy, Corrections worked in partnership with the Winnipeg Police Service on Project Restore to provide curfew monitoring and ongoing intensive supervision of high-risk gang members on bail and/or probation.

Prevention

Prevention is defined as anticipating and preventing or mitigating significant adverse economic, environmental, human health and social effects of decisions and actions. It pays particular attention to decisions that may not have entirely certain results, but which, on reasonable and well-informed grounds, appear to pose serious threats to the economy, the environment, human health and social well-being.

The department's anti-gang strategy and programs such as the Public Safety Investigative Unit, the Criminal Property Forfeiture Unit, Corrections' Crime Prevention Unit and the Spotlight initiative are some of the ongoing Justice programs that exemplify how our department has regularly provided sustainable crime prevention initiatives with the goal of creating safer communities for Manitobans. Highlights of new Justice initiatives that furthered the goal of preventing crime to enhance public safety in 2009/2010 are outlined below:

- The Victim Services Branch led the development of the Manitoba Domestic Violence Death Review Committee. A privacy impact assessment was prepared to ensure that the privacy rights of the surviving family members are respected and to minimize any further re-victimization of family members who may be interviewed or involved in a domestic violence review. Once established, the committee will review domestic violence homicide cases to see what can be learned from them and prevent future tragedies from occurring.

- As part of the department's anti-gang strategy, the Gang Awareness for Parents (GAP) pilot project was established to educate parents and caregivers on youth gang issues to combat the growth of youth gangs. More information on GAP is available on their website at www.gapmanitoba.com.
- The department launched an anti-gang multimedia advertising campaign, including a website at www.stayoutofgangs.ca, to encourage youths at risk to stay out of gangs by educating them on the dangers and realities of being a gang member.
- The department proposed amendments to *The Civil Remedies Against Organized Crime Act* that would give the Criminal Property Forfeiture Unit an enhanced ability to take court action against businesses that are used as fronts for organized crime.
- To further thwart organized crime, *The Body Armour and Fortified Vehicle Control Act* was proposed as new legislation that would enhance public safety by placing controls on the possession and sale of body armour and fortified vehicles. Purchases would be limited to those who have a legitimate reason to obtain a permit for possessing armour.

Global Responsibility

Global responsibility is a principle that is defined as thinking globally when acting locally, recognizing that there is economic, ecological and social interdependence among provinces and nations, and working co-operatively, within Canada and internationally, to integrate economic, environmental, human health and social factors in decision making while developing comprehensive and equitable solutions to problems. Some highlights for the 2009/2010 fiscal year included:

- Manitoba Justice hosted an inter-provincial conference on organized crime that brought together Crown attorneys and police from Ontario, Quebec, and all four western provinces to share information, knowledge and prosecutorial expertise to combat organized crime.
- The Minister of Justice and Attorney General of Manitoba supported the federal government's proposed reform of ending two-for-one sentencing credits for time served in pre-trial detention by jointly appearing with the Attorney General of Alberta before a Senate Committee in Ottawa to urge the upper house to pass Bill C-25.
- The Minister of Justice and Attorney General of Manitoba also met with the attorneys general and solicitors general of Saskatchewan, Alberta and British Columbia to discuss enhancing integration, co-operation and interprovincial intelligence gathering and sharing between police, Crown prosecutors and court systems to fight organized crime.
- The department consulted with more than 120 organized crime experts in policing, prosecutions and corrections across Canada and the United States and reviewed laws from different countries to develop the new *Witness Security Act* that was proclaimed on August 15, 2009. The act was established to provide more security to high risk witnesses in the existing witness security program who are assessed to be at risk of death or injury due to their testimony in connection with a serious crime.

Access to Information

Manitoba Justice provides information to the general public in a variety of ways including but not limited to news releases, the Courts, publications, processing requests under *The Freedom of Information and Protection of Privacy Act* (FIPPA), *The Personal Health Information Act* (PHIA), and its website at www.gov.mb.ca/justice.

To provide more information to victims of crime in the 2009/2010 fiscal year, the *Designated Offences Regulation* of *The Victims' Bill of Rights* was amended to include the following *Criminal Code* offences: sexual interference, sexual exploitation, invitation to sexual touching, assaulting a peace officer with a weapon or causing bodily harm, aggravated assault of a peace officer, operation of a vehicle with blood alcohol content over .08 causing death, and failure or refusal to provide a sample where an accident causes death. These amendments enable victims of the above listing of offences to proactively receive information from the Victim Services Branch throughout the criminal justice process.

In addition, the following information upgrades were made to the department's website during the year:

- Victim Services translated the *Support for Victims of Crime Overview* brochure available at www.gov.mb.ca/justice/victims/multi/index.html into Arabic, Chinese, Tagalog, Cree, German, Ojibway, Punjabi and Spanish, in addition to English and French.
- Victim Services further created a pamphlet for families on the effects of domestic violence on children available at www.gov.mb.ca/justice/victims/pdf/domestic_violence.pdf, a child-friendly court preparation

booklet at (www.gov.mb.ca/justice/victims/pdf/snowy_me.pdf), a court preparation booklet for youths at (www.gov.mb.ca/justice/victims/pdf/ready_court.pdf), and an updated *Stalking is a Crime* brochure at www.gov.mb.ca/justice/domestic/pdf/stalkingweb.pdf to integrate materials on cyberstalking and related topics.

- A new Justice website was launched to provide more information to the general public on the department's Private Investigators and Security Guards Program at www.gov.mb.ca/justice/safe/private/index.html.
- The Brown Book was updated on the department's Fines and Traffic Tickets website at www.gov.mb.ca/justice/fines/pdf/brownbook.pdf. This book provides a list of common offences and the suggested fines for regular and photo enforcement traffic tickets most commonly issued for provincial and federal offences.
- The *Family Law in Manitoba* booklet was updated on the department's website at www.gov.mb.ca/justice/family/law/index.html. This resource provides a wealth of information to the general public on family law and the legal system in Manitoba.

Integrated Decision Making and Planning

This guideline is defined as actions taken to encourage and facilitate decision making and planning processes to make them more efficient, timely, accountable and cross-sectoral, and address and account for intergenerational effects.

Justice programs such as Legislative Counsel, with support from other legal branches, continues to exemplify an ongoing commitment to this principle by having an integral role creating acts of legislation and related policy initiated by the Government of Manitoba, including acts that contribute to sustainable development.

The following are some additional highlights of the department's cross-sectoral work during the year:

- The Victim Services Branch partnered with Manitoba Education, Citizenship and Youth and Winnipeg school guidance counsellors to develop a co-ordinated and collaborative approach when dealing with children and youth involved in or affected by domestic violence.
- The department provided funding to open five new Lighthouses (an initiative of Neighbourhoods Alive!) for Brokenhead First Nation, Peguis First Nation, Swan River, Burrows Resource Centre – Winnipeg and Keenelyside – Winnipeg to help these communities engage young people in developing their own crime prevention and recreation activities outside school hours.
- The department provided support to a new Manitoba Integrated Task Force for Missing and Murdered Women that was established with members from the Winnipeg Police Service (WPS) and Royal Canadian Mounted Police (RCMP) to provide enhanced review of cases involving missing and murdered women.

Sustainable principles and guidelines, including but not limited to integrated decision making and planning, efficient use of resources, and waste minimization and substitution are further demonstrated in the department's procurement practices.

Sustainable Development Procurement

Manitoba Justice's sustainable procurement practices are based on the provincial government's sustainable development procurement goals that were established in 2002. Manitoba Justice achieved the following for the 2009/2010 fiscal year:

1. **Education, Training and Awareness -- to ensure a culture that supports sustainable procurement practices exist within the provincial government**

To expand the knowledge and skills of departmental procurement practitioners, workshops were provided to key procurement staff to learn and understand more about the provincial government's Aboriginal Procurement Initiative. Manitoba Justice also continued with the provision of an online sustainable development procurement tutorial available to train staff on sustainable development procurement and updated its sustainable development intranet page that is a reference guide for department staff use.

2. **Pollution Prevention and Human Health Protection – to protect the health and environment of Manitobans from possible adverse effects of provincial government operations and activities, and provide a safe and healthy working environment**

To contribute to the government's objective to reduce solid waste sent to landfills, the department maintained government-wide best practices for recycling waste paper, beverage cans, plastic, books, cardboard, milk cartons, VHS tapes, toner cartridges, furniture and equipment.

To minimize the amount of paper used, the department continued best practices of scanning and storing more documents in electronic form, sharing online documents, replacing paper based business magazines and news papers with online subscriptions, printing and copying double-sided when possible, e-mailing for scheduling, corresponding and reporting, and providing information to its clients and partners electronically or on compact discs. To replace substantial paper-based mailings, Manitoba Justice continued the practice referring to its internet site to inform the general public about current programs, initiatives and reports, and its intranet site to provide important departmental information online for staff reference.

3. **Reduction of Fossil Fuel Emissions – to reduce fossil fuel emissions by provincial government operations and activities**

To contribute to the provincial government's overall goal to reduce the consumption of fossil fuels, the department annually reviews its fleet for efficiency and sustainability. In 2009/2010, the department increased its number of environmentally friendly vehicles by eight for a total of 48, representing 39 per cent of its leased fleet. Twenty-seven of the 48 environmentally friendly vehicles were equipped to use E85 ethanol fuel, six were electric hybrids, and the remaining 15 were diesel models that can run on biodiesel fuel.

In efforts to substitute regular fossil fuels with ethanol-blended fuel and alternate energy sources, the department's leased fleet increased its use of hybrid electric vehicles that run on a combination of electricity and gas as fuel sources, and continued its use of E10 ethanol-blended fuel. Of the grand total 506,077 litres of fuel purchased in the 2009/2010 fiscal year for all leased and owned vehicles and equipment, the department consumed 31 per cent E10 ethanol fuel, 11 per cent diesel and 58 per cent regular unleaded gas. This represents an overall three per cent decrease in E10 ethanol fuel consumption and related increase in regular unleaded gas and diesel fuel consumption when compared to 2008/2009.

Growth in the department's programs and caseloads, combined with limited choices in sustainable vehicles and fuel, has posed a significant challenge to the department in making greater progress to reduce overall fossil fuel consumption. Compared to the previous year, the department increased its overall fuel consumption by 26,335 litres (five per cent). Nevertheless, the department's leased fleet still consumed five per cent less fuel compared to the level consumed in the 2002/2003 fiscal year when the department began monitoring fuel consumption for this initiative.

Further contributions are made by the department to reduce fossil fuel consumption by encouraging staff to annually participate in the National Commuter Challenge and continued the use of walker and cyclist couriers for deliveries within downtown Winnipeg. As an example, it was estimated that 78 department staff who participated in the 2009 National Commuter Challenge logged in 9,415 kilometres that translated to eliminating 1,519 kilograms of greenhouse gases (GHG) from being released into the atmosphere for one week. Savings were far greater for those who walked, cycled or rode public transportation on a regular basis throughout the year.

4. **Resource Conservation – to reduce the use and consumption of resources by the provincial government in a sustainable and environmentally preferable manner**

To assist the provincial government with its commitment to reducing the total consumption of utilities in provincial government premises, the department continued working with Manitoba Innovation, Energy and Mines (formerly Manitoba Science, Technology, Energy and Mines) on the government's printer refresh project that has replaced many stand-alone fax, photocopier, scan and print machines with multi-functional printers that perform all functions in one machine and consume less energy. The department also worked cooperatively with Manitoba Infrastructure and Transportation to ensure Leadership in Energy and Environmental Design (LEED) Green Building Rating System™ standards were used in Justice construction projects where feasible. This year it was announced that a new 160 bed medium security unit was built at Milner Ridge Correctional Centre to meet LEED silver level certification.

To increase the proportion of environmentally preferable products and services within the context of reduced resource use, the department purchased products that minimize waste by replacing virgin consumable products with sustainable (green) choices that contain post-consumer waste, are remanufactured, reusable or recyclable. Where possible, the department also purchased products that are non-toxic, biodegradable, energy efficient and use minimal packaging.

This year, the department maintained or slightly increased its high averages of green purchases for office paper (98 per cent green), hygiene tissue paper (100 per cent), caulk, glue and tape (100 per cent), computer furniture (89 per cent) and increased its green purchases of desk chairs by 26 percent for a total of 48 per cent.

5. Community Economic Development – to ensure provincial government procurement practices foster and sustain community economic development

One of the government's community economic development objectives is to increase the participation of Aboriginal peoples and suppliers in the provision of goods and services to departments. Though long-standing government policy requires line departments to purchase most goods and services through the provincial government's central agencies, Manitoba Justice directly supported Aboriginal businesses by purchasing a combined total of $568 thousand dollars for various goods and services. This represents a modest increase of four per cent from the previous year.

Another objective of community economic development is to increase the participation of small businesses, community-based businesses and co-ops in Manitoba. The department regularly supports local businesses when purchasing incidental items that are not stocked by central agencies.

Appendix I

In accordance with Schedule P of Order-in-Council (OIC) 350/2009 (dated November 3, 2009), as amended by OIC 353/2009 and OIC 383/2009, the Minister of Justice is responsible for administering:

The International Commercial Arbitration Act
The Constitutional Questions Act
The Correctional Services Act
The Court of Appeal Act
The Provincial Court Act
The Court of Queen's Bench Act
The Court Security Act
The Crime Prevention Foundation Act
The Criminal Property Forfeiture Act
The Cross-Border Policing Act
The Crown Attorneys Act
The Child Custody Enforcement Act
The Discriminatory Business Practices Act
The Domestic Violence and Stalking Act
The Enforcement of Canadian Judgments Act
The Enforcement of Judgments Conventions Act
The Escheats Act
The Executive Government Organization Act [Subsection 12(2), only, as Keeper of the Great Seal]
The Expropriation Act
The Family Property Act
The Fatality Inquiries Act
The Fortified Buildings Act
The Gunshot and Stab Wounds Mandatory Reporting Act
The Helen Betty Osborne Memorial Foundation Act
The Human Rights Code
The Inter-jurisdictional Support Orders Act
The Intoxicated Persons Detention Act
The Reciprocal Enforcement of Judgments Act
The Canada - United Kingdom Judgments Enforcement Act
The Jury Act
The Department of Justice Act
The Law Enforcement Review Act
The Law Fees and Probate Charge Act
The Law Reform Commission Act
The Legal Aid Manitoba Act
The Mental Health Act [Part 10 and clauses 125(1)(i) and (j)]
The Minors Intoxicating Substances Control Act
The Police Services Act
The Privacy Act
The Private Investigators and Security Guards Act
The Proceedings Against the Crown Act
The Profits of Criminal Notoriety Act
The Provincial Police Act
The Public Trustee Act
The Regulations Act

The Safer Communities and Neighbourhoods Act
The International Sale of Goods Act
The Sheriffs Act
The Interprovincial Subpoena Act
The Summary Convictions Act
The Transboundary Pollution Reciprocal Access Act
The Uniform Law Conference Commissioners Act
The Vacant Property Act
The Victims' Bill of Rights
The Witness Security Act

Other statutes related to areas for which the Minister of Justice is responsible:

The Age of Majority Act
An Act to Repeal the Statute of Frauds
The Apportionment Act
The Arbitration Act
The Beneficiary Designation Act (Retirement, Savings and Other Plans)
The Blood Test Act
The Boundary Lines and Line Fences Act
The Builders' Liens Act
The Civil Remedies Against Organized Crime Act
The Class Proceedings Act
The Controverted Elections Act
The Court of Queen's Bench Small Claims Practices Act
The Court of Queen's Bench Surrogate Practice Act
The Debtors' Arrest Act (Public Unconsolidated)
The Defamation Act
The Dependants Relief Act
The Distress Act
The Domicile and Habitual Residence Act
The Equality of Status Act
The Executions Act
The Factors Act
The Family Maintenance Act
The Fatal Accidents Act
The Federal Courts Jurisdiction Act
The Fraudulent Conveyances Act
The Frustrated Contracts Act
The Garage Keepers Act
The Garnishment Act
The Gold Clauses Act
The Guarantors' Liability Act
The Homesteads Act
The Hotel Keepers Act
The Infants' Estates Act
The Interpretation Act
The International Trusts Act
The Intestate Succession Act
The Judgments Act
The Law of Property Act

The Limitation of Actions Act
The Manitoba Evidence Act (Parts I and IV)
The Marine Insurance Act
The Married Women's Property Act
The Mental Health Act (Part 9)
The Mercantile Law Amendment Act
The Mortgage Act
The Newspapers Act
The Nuisance Act
The Occupiers' Liability Act
The Official Securities Act
The Parental Responsibility Act
The Parents' Maintenance Act
The Perpetuities and Accumulations Act
The Petty Trespasses Act
The Powers of Attorney Act
The Presumption of Death Act
The Registration of Property Restraint Orders Act
The Repair Shops Act
The Sale of Goods Act
The Sand and Gravel Act
The Short Forms Act
The Soldiers' Estates Act
The Stable Keepers Act
The Survivorship Act
The Threshers' Liens Act
The Tortfeasors and Contributory Negligence Act
The Trustee Act
The Unconscionable Transactions Relief Act
The Warehousemen's Liens Act
The Wills Act

Appendix II

Court of Appeal Office in Manitoba

Winnipeg

Appendix III

Court of Queen's Bench Offices in Manitoba

Winnipeg
Brandon
Dauphin
Flin Flon
Minnedosa
Morden
Portage la Prairie
St. Boniface
Selkirk
Swan River
The Pas
Thompson
Virden

Appendix IV

Provincial Circuit Court Listing – Winnipeg and Regional

The following is a list of circuit court locations within Manitoba:

Brandon
- Boissevain
- Killarney
- Sioux Valley

Dauphin
- Camperville
- Roblin

Flin Flon
- Cranberry Portage
- Snow Lake

Minnedosa
- Neepawa
- Rossburn
- Russell
- Waywayseecappo

Morden
- Carman

Portage la Prairie
- Amaranth
- Sandy Bay

Selkirk
- Beausejour
- Berens River
- Bloodvein
- Emerson
- Garden Hill
- Gimli
- Lac du Bonnet
- Little Grand Rapids
- Pauingassi
- Poplar River
- Powerview (formerly Pine Falls)
- St. Martin
- St. Theresa Point
- Teulon

Steinbach
- St. Pierre-Jolys

Swan River

The Pas
- Easterville
- Grand Rapids
- Moose Lake
- Pukatawagan

Thompson
- Brochet
- Churchill
- Cross Lake
- Gillam
- God's Lake Narrows
- God's River
- Lac Brochet
- Leaf Rapids
- Lynn Lake
- Nelson House
- Norway House
- Oxford House
- Shamattawa
- South Indian Lake
- Split Lake

Virden

Winnipeg – 408 York Avenue
- Altona
- Arborg
- Ashern
- Fisher Branch
- Lundar
- Manitoba Youth Centre
- Morris
- Peguis
- Stonewall

Winnipeg – St. Boniface

Winnipeg – Summary Convictions Court

Appendix V

The Corrections Division has **MANCOR Prison Industries** currently operating in several of its institutions. The purpose of prison industries is to teach offenders marketable trades that would increase their chances of post-release employment, as well as contribute to their rehabilitation and re-integration into society. Work experience for inmates include carpentry, tailoring, upholstery, computer repair, farming and tree clearing.

The financial statements for all provincial **MANCOR** operations for 2009/2010 are provided in the tables below.

MANCOR (Prison Industries) - Financial Statements

MANCOR
BALANCE SHEET
March 31, 2010

ASSETS	March 31/10	March 31/09
Current		
Cash	3	1
Bank	484	438
Carpentry Program (NOTE 2)	42	61
Inventory	116	118
Accounts Receivable	80	75
Total Current Assets	**$725**	**$693**
Capital Assets		
Machinery & Equipment	$428	$382
Less: Accumulated Amortization	(230)	(201)
Total Capital Assets	**$198**	**$181**
TOTAL ASSETS	**$923**	**$874**
LIABILITIES AND EQUITY		
Accounts Payable	$4	$10
Carpentry-Deferred Liabilities (NOTE 2)	85	85
Tax Liabilities	3	1
Total Current Liabilities	**$92**	**$96**
EQUITY		
Retained Earnings	**831**	**778**
TOTAL LIABILITIES AND EQUITY	**$923**	**$874**

MANCOR
INCOME STATEMENT
Year Ended March 31, 2010

	2009/10	2008/09
Sales	$418	$475
Cost of Goods Sold	191	220
Gross Profit	**$227**	**$255**
Operating Expenses	150	154
Capital Asset Amortization	24	20
NET INCOME	**$53**	**$81**
Retained Earnings, Beginning of Year	778	697
Retained Earnings, End of Year	**$831**	**$778**

MANCOR
STATEMENT OF CHANGES IN FINANCIAL POSITION
Year Ended March 31, 2010

	2009/10	2008/09
Cash Derived From (Applied) To:		
Operating		
Net Income (Loss)	$53	$81
Add: Amortization of Capital Assets	29	20
Change in		
Inventory	2	(24)
Receivables	(5)	0
Payables	(4)	2
Investing		
Capital Acquisitions	(46)	(28)
Increase (Decrease) in Cash and Deposits	**29**	**51**
Cash and Bank Deposits:		
Beginning of Year	500	449
End of Year	**$529**	**$500**

MANCOR
NOTES TO FINANCIAL STATEMENTS
MARCH 31, 2010

1. The 2009/2010 fiscal year covered the period of April 1, 2009 to March 31, 2010.
2. MB4 Youth of Manitoba Healthy Living, Youth and Seniors (formerly of Manitoba Education, Citizenship & Youth) provided a grant of $100 in 2007/2008 to start a carpentry training course. As of March 31, 2010, MANCOR has utilized $58 to fund set up costs.

Appendix VI

The following is a list of some of the most commonly contacted branches, boards, agencies and programs reporting to the Minister of Justice. To contact offices not listed here, please call:

Manitoba Government Inquiry
1-866-626-4862, toll free outside Winnipeg

Aboriginal and Community Law Enforcement
1430 - 405 Broadway
Winnipeg MB R3C 3L6
945-2825

Aboriginal Courtwork Program
230 - 405 Broadway
Winnipeg MB R3C 3L6
945-0024

Administration and Finance Division
1110 - 405 Broadway
Winnipeg MB R3C 3L6
945-2878

Civil Legal Services
730 - 405 Broadway
Winnipeg MB R3C 3L6
945-2832

Compensation for Victims of Crime
1410 - 405 Broadway
Winnipeg MB R3C 3L6
945-0899

Constitutional Law
1205 - 405 Broadway
Winnipeg MB R3C 3L6
945-0679

Corrections Division
810 - 405 Broadway
Winnipeg MB R3C 3L6
945-7804

Court of Queen's Bench
Main Floor - 408 York Avenue
Winnipeg MB R3C 0P9
Civil: 945-0344
Criminal: 945-3040
Family Division (Divorce): 945-0344
Administration: 945-0980

Courts Division
235 - 405 Broadway
Winnipeg MB R3C 3L6
945-0504

Criminal Justice Division
1430 – 405 Broadway
Winnipeg MB R3C 3L6
945-8042

Deputy Minister's Office
110 Legislative Building – 450 Broadway
Winnipeg MB R3C 0V8
945-3739

Domestic Violence Intervention Unit
1410 – 405 Broadway
Winnipeg MB R3C 3L6
945-5448

Family Law
1230 - 405 Broadway
Winnipeg MB R3C 3L6
945-0268

Human Resource Services
1130 - 405 Broadway
Winnipeg MB R3C 3L6
945-3204

Human Rights Commission
7th Floor - 175 Hargrave Street
Winnipeg MB R3C 3R8
945-3007

Law Enforcement Review Agency
420 - 155 Carlton Street
Winnipeg MB R3C 3H8
945-8667

Law Reform Commission
432 - 405 Broadway
Winnipeg MB R3C 3L6
945-2896

Legal Aid Manitoba
4th Floor - 294 Portage Avenue
Winnipeg MB R3C 0B9
985-8500

Legislative Counsel
410 - 405 Broadway
Winnipeg MB R3C 3L6
945-5758

Maintenance Enforcement
225 - 405 Broadway
Winnipeg MB R3C 3L6
945-7133

Manitoba Prosecutions Service
510 - 405 Broadway
Winnipeg MB R3C 3L6
945-2852

Minister's Office
104 Legislative Building – 450 Broadway
Winnipeg MB R3C 0V8
945-3728

Office of the Chief Medical Examiner
210 - 1 Wesley Avenue
Winnipeg MB R3C 4C6
945-2088

Policy Development and Analysis
1210 - 405 Broadway
Winnipeg MB R3C 3L6
945-6726

Provincial Court
Main Floor, 408 York Avenue
Winnipeg MB R3C 0P9
945-3454

The Public Trustee
155 Carlton Street – Suite 500
Winnipeg MB R3C 5R9
945-2700

Review Board
2nd Floor - 408 York Avenue
Winnipeg MB R3C 0P9
945-4438

Sheriff Services, Civil Enforcement Section
2nd Floor - 373 Broadway
Winnipeg MB R3C 4S4
945-2107

Vehicle Impoundment Registry
2nd Floor - 408 York Avenue
Winnipeg MB R3C 0P9
945-4454

Victim/Witness Assistance
400 - 408 York Avenue
Winnipeg MB R3C 0P9
945-3594

Victim Services
1410 - 405 Broadway
Winnipeg MB R3C 3L6
945-6851
1-866-484-2846

La version intégrale du rapport annuel de Justice Manitoba n'existe qu'en anglais. Toutefois, un résumé en français du rapport figure dans la section d'introduction du présent imprimé et également sur le site Web du ministère à l'adresse suivante: www.gov.mb.ca/justice/index.fr.html.

An English version of this *Annual Report* can be found on the Internet at www.gov.mb.ca/justice.